DOCUMENT RESUME

ED 212 109 EC 141 512

TITLE	Disparities Still Exist in Who Gets Special Education. Report to the Chairman, Subcommittee on Select Education, Committee on Education and Labor, House of Representatives by the Comptroller General of the United States.
INSTITUTION	Comptroller General of the U.S., Washington, D.C.
REPORT NO	IPE-81-1
PUB DATE	30 Sep 81
NOTE	143p.
AVAILABLE FROM	U.S. General Accounting Office, Document Handling and Information Services Facility, P.O. Box 6015, Gaithersburg, MD 20760.
EDRS PRICE	MF01/PC06 Plus Postage.
DESCRIPTORS	Compliance (Legal); *Disabilities; Elementary Secondary Education; Eligibility; Federal Legislation; *Handicap Identification; Incidence; *Program Effectiveness; Referral; *Special Education; State Standards; Student Characteristics
IDENTIFIERS	*Education for All Handicapped Children Act

ABSTRACT

The report examines the impact of P.L. 94-142, the Education for All Handicapped Children Act, and other federal laws on the numbers and types of handicapped children who receive special education services. It is explained that the study resulted from analysis of 15 evaluation studies and two databases on the impact of the legislation. Research questions are listed as well as summarized information on the studies and databases. Five issues are addressed in separate chapters (sample findings in parentheses): the numbers and characteristics of students receiving special education (the typical child in special education was young, male, and mildly handicapped); the number of unserved or underserved eligible children (few unserved children were noted; more studies pointed to the existence of underserved students including 3 to 5 year olds, secondary level, 18 to 21 year olds, emotionally disturbed, and migrant students); overrepresentation (learning disabled children exceed the totals in other handicapping conditions and minority groups are also overrepresented); and factors influencing who receives special education (state definitions and eligibility criteria, along with teacher attitudes and judgments affect referrals to special education). Included among six appendixes are assessments of each of the studies used in the evaluation. (CL)

****
* Reproductions supplied by EDRS are the best that can be made *
* from the original document. *
****

ED212109

BY THE COMPTROLLER GENERAL

Report To The Chairman, Subcommittee On Select Education, Committee On Education And Labor, House Of Representatives OF THE UNITED STATES

Disparities Still Exist In Who Gets Special Education

U.S. DEPARTMENT OF EDUCATION
NATIONAL INSTITUTE OF EDUCATION
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

This document has been reproduced as received from the person or organization originating it.
Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official NIE position or policy.

Under the Education for All Handicapped Children Act, all handicapped children age 3 to 21 are to have access to special education services. GAO analyzed 15 evaluation studies and 2 data bases to determine if this mandate is being met.

GAO found that nearly 4 million public school children received special education services in the 1980-1981 school year. A "typical" child in special education is under 12 years of age, male, and mildly handicapped.

Few out-of-school children have been identified as needing special education. However, there appears to be a substantial but undetermined number of children in-school who need, but do not have access to, special education. In contrast, certain categories such as learning disabled are overrepresented in special education. Access to special education is determined by such factors as a child's State of residence, age, sex, racial/ethnic identity, and handicapping condition.

EC 141512

IPE-81-1

SEPTEMBER 30, 1981

Request for copies of GAO reports should be sent to:

U.S. General Accounting Office
Document Handling and Information
Services Facility
P.O. Box 6015
Gaithersburg, Md. 20760

Telephone (202) 275-6241

The first five copies of individual reports are free of charge. Additional copies of bound audit reports are $3.25 each. Additional copies of unbound report (i.e., letter reports) and most other publications are $1.00 each. There will be a 25% discount on all orders for 100 or more copies mailed to a single address. Sales orders must be prepaid on a cash, check, or money order basis. Check should be made out to the "Superintendent of Documents".

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON D.C. 20548

B-204197

The Honorable Austin J. Murphy
Chairman, Subcommittee on Select Education
Committee on Education and Labor
House of Representatives

Dear Mr. Chairman:

In your March 25, 1981, request you asked that we conduct a technical review of existing evaluation information on access to special education and provide you with a written report sometime in June. As requested, we delivered a draft copy of the report on June 15, 1981. In responding to the draft report, July 1, 1981, you requested information on four additional special education topics. We provided this additional information in our August 19, 1981, letter to you. This report, "Disparities Still Exist in Who Gets Special Education," describes, reviews, and integrates findings across studies to determine what is known and what is not known about who gets special education.

As arranged with your office, copies of the report are being sent to the House Committee on Education and Labor, the Senate Committee on Labor and Human Resources, the Senate Subcommittee on Handicapped, and the Department of Education.

Sincerely yours,

Milton J. Socolar

Acting Comptroller General
of the United States

COMPTROLLER GENERAL'S
REPORT TO THE CHAIRMAN,
SUBCOMMITTEE ON SELECT
EDUCATION, COMMITTEE ON
EDUCATION AND LABOR,
HOUSE OF REPRESENTATIVES

DISPARITIES STILL EXIST IN WHO GETS SPECIAL EDUCATION

D I G E S T

Who gets special education? In 1975, the Congress set a goal that by September 1, 1978, all handicapped children ages 3 to 18 would have available a free appropriate public education which meets their unique needs and that by September 1, 1980, this goal would be realized for all handicapped children ages 3 to 21. According to GAO's recent review of the Public Law 94-142 program this goal has not been met for all eligible handicapped children. 1/

The present analysis, undertaken at the request of the House Subcommittee on Select Education, examines some of the issues identified in GAO's prior report on the handicapped program. It provides an indepth investigation of selected issues in special education access based on review and synthesis of evaluation studies performed since the act was implemented.

GAO found that participating in special education depends on a set of interrelated factors such as the State in which the child lives, the child's handicapping condition, sex, minority status, and programs available in a school district.

WHAT ARE THE NUMBERS AND CHARACTERISTICS OF CHILDREN RECEIVING SPECIAL EDUCATION?

The number of children receiving special education services averages about 8.5 percent of the school-age population according to State counts.

--Nearly 4.2 million children received special education during the 1980-81 school year according to State counts; about 3.94 million were counted under Public Law 94-142 and the others under Public Law 89-313. (See p. 20.)

--While previous State counts of handicapped children do not agree with survey projections

---

1/"Unanswered Questions on Educating Handicapped Children in Local Public Schools." (HRD-81-43, February 5, 1981).

of handicapped children participating in special education, these discrepancies can be attributed to different data collection purposes, methods, timing, and content. (See pp. 21-26.)

Findings across studies indicate that the "typical" child participating in special education in public schools is young (a preadolescent), male, and mildly handicapped.

--Children provided special education in the public schools are young--about 67 percent are 12 years of age or younger. (See pp. 27-29.)

--Twice as many males as females receive special education. (See p. 30.)

--Of those counted under Public Law 94-142 in school year 1980-81 about 36 percent were learning disabled, 30 percent speech impaired, and 19 percent mentally retarded. (See pp. 35-36.)

--Thirteen percent of the children served have severe handicaps, 36 percent have moderately severe handicaps, and the majority, at 51 percent, have mild handicaps. (See pp. 37-38.)

ARE THERE ELIGIBLE CHILDREN WHO ARE UNSERVED OR UNDERSERVED?

Before Public Law 94-142 was passed, the Congress and the courts heard many cases of individuals being denied access to an education because they were handicapped. The cases were a clear denial of access to special education. Both Public Law 94-142 and Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112) ban the practice of denying schooling to handicapped children. Several studies provide evidence that Child Find programs in States and local education agencies are finding few out-of-school children (the unserved). (See p. 43.)

Considerable evidence indicates that there are in-school children (the underserved) who need, but are not receiving special education; the data currently are inadequate, however, to estimate the size of this group.

--States are recognizing that more targeted priorities are necessary. Some have developed State-specific priorities for providing special education services. (See p. 43.)

--Identified groups of underserved children include 3 to 5 year olds, secondary school, and 18 to 21 year old students, emotionally disturbed children, and migrant children. There is suspicion but little evidence that school dropouts were underserved children. (See pp. 46-55.)

ARE CERTAIN TYPES OF CHILDREN OVER-REPRESENTED IN SPECIAL EDUCATION PROGRAMS?

Learning disabled children exceed the number of children in any other category of handicapping condition; in six States, over half of the handicapped children counted under Public Law 94-142 are learning disabled.

--The proportion of children counted under Public Law 94-142 as learning disabled has reached the upper limit of the currently used prevalence interval (three percent of school-age children). (See pp. 57-58.)

--Few findings describe the types of children who are being identified as learning disabled. (See pp. 58-61.)

A disproportionate share of minority children appear to participate in some special education programs.

--Forty-one percent of black students in special education programs in school year 1978 were in classes for the educable mentally retarded as compared with only ten percent of Asian American students receiving special education and 17 percent of Hispanic students receiving services. (See pp. 61-63.)

--Almost one half of the American Indian students in special education programs in the public schools were in learning disabled classes in 1978. (See pp. 62-63.)

--Fifty percent of Asian Americans in special education were in speech impaired programs in 1978. (See pp. 62-63.)

A disproportionate share of male children appear to participate in some special education programs.

--Males are three times as likely as females to be found in programs for the seriously emotionally disturbed. (See p. 64.)

--Males are two and one half times as likely as females to be in learning disabled programs. (See p. 64.)

WHAT FACTORS INFLUENCE WHO GETS SPECIAL EDUCATION?

Biases in child referral and assessment procedures are thought to account for much of the over- and underrepresentation of certain types of children in special education. Several studies suggest that teacher attitudes and judgments play a large role in who gets referred to special education; teachers are generally not trained in making referrals. (See pp. 67-68.)

State definitions of handicapping conditions and related eligibility criteria are reported to influence who gets special education. Specific information is sparse, however, on the nature, extent, and impact of variations in definitions and eligibility criteria across States. (See pp. 68-72.)

Findings indicate that some children are excluded from special education because of limits on school district programs relative to the need for services. (See pp. 72-73.)

The data are inadequate to determine the relationship between the Elementary and Secondary Education Act of 1965 (ESEA), title I and Public Law 94-142 participation and between ESEA, title VII and Public Law 94-142.

--Studies investigating this relationship are particularly time-bound because they used data from the first year of Public Law 94-142 implementation (1977-78). (See pp. 74-76.)

--Coordination between programs, the nature of services offered by each program, the overlap in student eligibility with Public Law 94-142,

and the extent to which students with undiagnosed handicaps are receiving services only through ESEA title I and title VII programs are not yet evident. (See pp. 74-76.)

OBSERVATIONS

--While the findings indicate that not all children have equal access to special education, the congressional objective that those most in need of services would receive them with Public Law 94-142 has largely been accomplished. The priorities to first serve the unserved and second the most severely handicapped children within each category may have been realized and, therefore, may have become meaningless. It may be more useful now to emphasize State-specific priorities which attempt to identify categories of underserved children.

--Congressional fears that a disproportionate share of funds might be allocated to the learning disabilities category (the magnitude of which is not clearly known or understood) seem to have been realized with the lifting of the 2 percent cap on the number of learning disabled children who can be counted for Federal funding purposes. Little is known about who is being served in this category. These children may include those with mild learning problems, slow learners, and/or children who formerly would have been labeled mentally retarded. No study examined the criteria for determining learning disabilities.

--The forecast for success of congressional safeguards against the overclassification of disadvantaged and minority group children as handicapped seems guarded. Not all study results are available, but 1978 survey data show a disproportionate share of minority children in some special education programs. There is also overclassification of males, particularly in classes for the emotionally disturbed and learning disabled.

--None of the studies reviewed were definitive in that they provided answers to all questions about a given topic. Some studies were simply initiated too early in Public

Law 94-142 implementation to be useful. However, the overall findings indicate the value of using a variety of studies to evaluate a program rather than relying on a single definitive study.

--Many study reports did not adequately describe the methodology employed. The scarcity of information provided prevented GAO from determining the technical adequacy of these studies and thus limited placing confidence in the findings. While a study may have been designed and conducted in an exemplary manner, a reviewer limited to the report could not draw such a conclusion.

--Additionally, there are many gaps in the information about who gets special education. Directions for future studies include, for example: investigating selected States to verify the Public Law 94-142 child count data; examining the nature and extent of etiological explanations for sex, age, and race/ethnicity distribution imbalances; investigating access to services for the birth through age two category; investigating the numbers of handicapped children who are military dependents, adjudicated or incarcerated youth, foster children, and migrants and the extent to which these groups have access to special education; investigating the number of handicapped youth who are high-school drop-outs; examining the criteria and procedures for identifying learning disabled children; determining the nature, extent, and impact of variations in definitions of handicapping conditions across the States; and investigating the nature, extent, and impact of overlap between ESEA title I and title VII and Public Law 94-142.

AGENCY COMMENTS

The Department of Education's comments on the draft of this report are in appendix VI. The Department agreed with GAO's observations, described specific actions that will be taken, and reported finding the evaluation synthesis methodology useful both for identifying gaps in knowledge as well as for describing what is known about a topic.

Contents

		Page
DIGEST		i
CHAPTER		
1	INTRODUCTION	1
	Background information	2
	Program assumptions	4
	Program descriptions	7
	Objectives, scope, and methodology	10
2	WHAT ARE THE NUMBERS AND CHARACTERISTICS OF CHILDREN RECEIVING SPECIAL EDUCATION?	20
	How many children are being served?	20
	What are the grade levels and ages of the children served?	27
	What is the distribution by sex of the children served?	30
	What is the racial/ethnic breakdown of children served?	31
	What handicapping conditions do the children have?	35
	How severely handicapped are the children served?	37
	Summary	39
3	ARE THERE ELIGIBLE CHILDREN WHO ARE UNSERVED OR UNDERSERVED?	41
	What is the estimated number of eligible children? How many are underserved?	42
	Are certain age groups underserved?	46
	Does the number of handicapped children change at school transition points?	50
	Are migrant and other mobile handicapped children served?	51
	Are any categories of handicapping conditions underrepresented?	53
	What is the drop-out rate among handicapped students?	55
	Summary	55
4	ARE CERTAIN TYPES OF CHILDREN OVERREPRESENTED IN SPECIAL EDUCATION?	57
	Are any categories of handicapping conditions overrepresented?	57
	Are minority children overrepresented by handicapping condition?	61
	Is there overrepresentation by sex and handicapping condition?	63
	Summary	65

		Page
5	WHAT FACTORS INFLUENCE WHO GETS SPECIAL EDUCATION?	67
	Is there bias in child referral and assessment procedures?	67
	What impact do differences in State definitions of handicapping conditions have?	68
	What impact do school district resources have on access to special education?	72
	What is the overlap between ESEA Title I and Public Law 94-142? Between ESEA Title VII and Public Law 94-142?	74
	Summary	76
6	WHO GETS SPECIAL EDUCATION: A SUMMARY	77
	The findings: what is known about access?	77
	The findings: remaining questions	78
	The findings: assessment of studies	80
	Observations	80

APPENDIX

I	Assessment of data sources	83
II	State-by-State comparison of Public Law 94-142 child count data and OCR school district and school survey data for school year 1978-79	119
III	Comparison of enrollment totals of OCR survey data and NCES membership counts for Fall 1978	121
IV	Bibliography	122
V	Request letter dated March 25, 1981, from the Honorable Austin J. Murphy, Chairman of the Subcommittee on Select Education	123
VI	Comments letter dated August 10, 1981, from Herman R. Goldberg, Acting Assistant Secretary, U.S. Department of Education	124

TABLE

1.1	Access to special education evaluation questions	12
1.2	Summary of relevant studies and data bases	15
2.1	Summary of differences between 1978 statistics for special education	22
2.2	Distribution of students with IEPs served in LEA-administered schools on December 1, 1978, by age	29
2.3	Relative rate of participation in special education by racial/ethnic category: 1976-77 and 1978-79 school years	34
3.1	Distribution of States by proportion of children ages 3-21 served in school year 1980-81	44

		Page
3.2	Students participating in special education programs as a percentage of student enrollment in selected Ohio school districts in 1980	45
3.3	Proportion of students with IEPs served in LEA-administered schools on December 1, 1978, by age, compared with the proportion of students enrolled in grades preschool-high school in October 1977 by age	49
3.4	Number of identified handicapped migrant students in selected States with migrant populations	52
3.5	Percent of children ages 3-21 served by handicapping condition, school year 1980-81, compared with estimated prevalence rates	54
4.1	Distribution of children receiving special education by nature of handicapping condition and race/ethnicity, school years 1978-79 and 1976-77	62
4.2	Distribution of students by nature of handicapping condition and sex	64
5.1	Extreme child count values for students ages 6-17 served under Public Law 94-142 during school year 1979-80	71

FIGURE

2.1	Distribution of students with IEPs served in LEA-administered schools on December 1, 1978, by grade level	28
2.2	Distribution of children enrolled in elementary and secondary schools by race/ethnicity and distribution of children participating in selected education programs by race/ethnicity during the school year 1978-79	32
2.3	Distribution of children served by handicapping condition, school year 1980-81	36
2.4	Distribution of students with IEPs served in LEA-administered schools on December 1, 1978, by severity of handicapping condition	38
4.1	Learning disabled students served as a percentage of estimated population, school year 1980-81	59
4.2	Mentally retarded students served as a percentage of estimated population, school year 1980-81	60

ABBREVIATIONS

BEH	Bureau of Education for the Handicapped
ED	Education Department
ESEA	Elementary and Secondary Education Act
GAO	General Accounting Office
HEW	Department of Health, Education, and Welfare
IEP	Individualized education program
LEA	Local education agency
NCES	National Center for Education Statistics
OCR	Office of Civil Rights
OSE	Office of Special Education
SEA	State education agency

CHAPTER 1

INTRODUCTION

Two statutes, the Education for All Handicapped Children Act of 1975 (Public Law 94-142) and Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), and their implementing regulations effectively require that a free appropriate public education be provided to all handicapped children and youth. 1/ Translating the ideals expressed in the legislation into practice has been a long, hard, and, at times, a controversial process. 2/,3/ Our recent review of the Public Law 94-142 program found that all eligible children have not yet achieved a free appropriate public education. 4/ This report analyzes access to special education issues identified in our prior report on the handicapped program.

While a number of studies have independently examined aspects of this question, no thorough technical review and synthesis of these studies has been undertaken. This report, within the limits of available information, describes:

--The numbers and characteristics (such as age, race, handicapping condition, and severity of handicapping condition) of children receiving special education.

--The characteristics of children who are less often included in special education.

--The characteristics of children overrepresented in special education.

--Factors related to who gets special education.

Existing evaluation information was reviewed to determine the best sources for addressing each topic and the degree of confidence

---

1/The program authorized by part B of the Education of the Handicapped Act, as amended on November 29, 1975, by Public Law 94-142, the Education for All Handicapped Children Act of 1975 (20 U.S.C. 1401 et seq. 1976) is commonly known as the "Public Law 94-142 program; "504" typically refers to Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794 Supp. III, 1979).

2/See Office of Education [9], p. iii.

3/See Education Department [4], p. iii-iv.

4/"Unanswered Questions on Educating Handicapped Children in Local Public Schools" (HRD-81-43, February 5, 1981).

that can be placed in the findings. Gaps and inadequacies in the evaluative research are also identified.

BACKGROUND INFORMATION

The promise of access to appropriate education for handicapped children is frequently associated with Public Law 94-142, the Education for All Handicapped Children Act of 1975. Sometimes called a "Bill of Rights" for handicapped children, Public Law 94-142 is not a rights bill, but a voluntary educational program under which Federal funds are provided. 1/ Together, however, with Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112), a mandatory civil rights statute with which all recipients of Federal financial assistance must comply and Section 504's implementing regulations, it means that a free and appropriate public education must be provided to each handicapped child and youth. A national commitment of such magnitude was built on groundwork laid at the Federal and State levels, largely between 1965 and 1975.

Particularly important to this mandate was civil rights legislation. The Congress, which had already addressed race and sex discrimination, addressed discrimination against handicapped individuals in 1973. Section 504 of title V of the Rehabilitation Act of 1973 prohibits discrimination against handicapped persons in any program or activity that is supported in full or in part by Federal funds. Following passage of the Rehabilitation Act, each Federal agency providing financial assistance was to develop a set of 504 regulations specific only to those receiving its funds. 2/ While those for the Department of Health, Education, and Welfare (HEW) did not go into effect until June 1977, the early date of the original landmark legislation (1973) is significant.

Other legislation increased the Federal role in developing educational programs for the handicapped and in providing funds for their education. The Elementary and Secondary Education Act (ESEA) Amendments of 1966 (Public Law 89-750) established the Bureau of Education for the Handicapped (BEH) within the U.S. Office of Education, and began a program of grants to States to expand educational programs and projects for handicapped children. Also, The Education Amendments of 1974 (Public Law 93-380) established a national goal of providing full educational opportunity to all handicapped children.

1/See Goodman [5].

2/See Exec. Order No. 11914, April 28, 1976.

Additional groundwork included litigation frequently brought by advocacy groups seeking to affirm the right of handicapped children to an education and the protection of due process of the law. 1/ Prior to 1971, many State statutes contained provisions for excluding children with physical or mental conditions that were thought to prevent or make inadvisable attendance at a public school. Limited programs also excluded handicapped children from the schools. Cases such as Pennsylvania Association for Retarded Children (PARC) v. Commonwealth of Pennsylvania, 334 F. Supp. 1257 (E.D. Pa., 1971); Mills v. Board of Education of the District of Columbia, 348 F. Supp. 866 (D.D.C., 1973); and Maryland Association for Retarded Children v. State of Maryland, Equity No. 100-182-77676 (Cir. Ct., Baltimore, Maryland, 1974) established the rights of handicapped children to education and due process protections.

State statutes calling for mandatory provision of appropriate educational opportunities to handicapped children accompanied the litigation. 2/ In 1970, only 14 States had some mandatory legislation for the handicapped. In contrast, by 1974, 46 States had some form of mandatory legislation. State outlays for handicapped children climbed from $900 million in 1972 to an estimated $2.03 billion in 1974. 3/

From this groundwork, Public Law 94-142 and the regulations for implementing Section 504 of the Rehabilitation Act emerged. While the States had made strides both with legislation and special education funds, the national goal of providing full educational opportunity to all handicapped children was not realized. State legislation did not necessarily cover all handicapping conditions, nor was it always carried out. In fact, shortly before Public Law 94-142 was passed in 1975, over 40 right to education suits were pending against the States. 4/ Additionally, BEH estimated that of the more than eight million handicapped children in the United States, more than half were not receiving appropriate educational services, with one million totally excluded from the public school system. 5/ As a result, the Congress determined that greater Federal assistance was needed to insure a free appropriate public education for each handicapped child.

1/See Abeson, Bolick, and Hass [1], pp. 2-4.

2/See Education Commission of the States [3], p. 10-11.

3/See Wilken and Porter [14], p. I-54.

4/See Weintraub, Abeson, Ballard, and LaVor [13].

5/See National Advisory Committee on the Handicapped [3].

PROGRAM ASSUMPTIONS

In developing Public Law 94-142, a major goal was to establish education as a right of all children regardless of their handicap. No disability was to take priority over any other. The legislative history indicates, however, that the conferees were worried about mandating this universal right to education policy for the handicapped. Their concern involved two assumptions.

One assumption was that even with Federal financial assistance, all States would not immediately be able to fully implement the right to education policy. Serving all handicapped children--the severely handicapped as well as the minimally handicapped; the school-aged as well as preschool and post-secondary --and serving them all at once would be a problem.

The other assumption was that because of the stigma associated with the handicapped label, the potential for abuse under the act would have to be carefully guarded against. Three types of potential abuse raised concern. The first, at the most general level, was the State incentive under the entitlement legislation to overclassify children as handicapped. The second was overclassification of disadvantaged and minority group children. The third arose from the inadequacy of definitions of learning disability and involved overclassification of children as learning disabled and disproportionate allocation of funds to this category.

While the Congress did mandate a free appropriate public education for all handicapped children, it also took steps to address the potential abuses. These steps generally required mirror responses from Federal and State administrators.

In addressing State capability to assure the access goal, the Congress made the law flexible. By specifying that a free appropriate public education must be available for all handicapped children ages 3 through 17 no later than September 1, 1978, and to handicapped children ages 3 through 21 by September 1, 1980, the Congress provided considerable "breathing space" for the States. The States were allowed several years to develop and implement mandated procedures and were permitted phasing-in by age groups. While the States could provide services earlier, full implementation for the 3- through 21-age group would not be required for nearly five years following passage of the act. In addition, Congress set no date for providing services to the birth through age two group, but allowed each State to develop its own timeline.

Further, for handicapped children under five years of age or between the ages of 18 to 21, the Congress determined that the rules would not hold if inconsistent with State law or practice or court order. To encourage States serving children age three

to five to continue their programs and to provide incentive to other States to begin special education programs at an early age, a preschool incentive grant program was written into the act. Congress sought to balance the immediate budget constraints of the State education agencies and the long-term benefits of providing services to the very young child.

Congress required the States, through an annual program plan, to adopt as a goal the provision of full educational opportunity to handicapped children. The plan was to include procedures and a timetable for achieving the goal. As the major responsible entity, each State was also to develop procedures to assure compliance with the act. The Commissioner of Education was to review and approve each State plan to ensure all requirements of the law were met as a condition of funding, and to determine that the plan was implemented throughout each State.

In response to the concerns about potential abuses, the Congress offered safeguards rather than flexibility. Multiple safeguards were developed to prevent the abuses that could stem from a State formula grant program based on the number of handicapped children served. First, to prevent children in general from being improperly counted or mislabeled simply to help the States and localities to get more money, a 12-percent cap was placed on the number of handicapped children who could be counted in the Federal allocation formula when compared to the State's total population of children aged 5 to 17. In addition, to prevent funds from being commingled or combined with the general education budget of a local school district, the Congress mandated that the money cover only a portion of the excess costs of educating handicapped children. Third, only children with specific handicapping conditions were eligible. This categorical system --as compared with a system based on functional limitations or services needed--excluded certain types of children with mild learning problems. Among those excluded, for example, were the slow learner and those whose learning problems were primarily the result of being culturally disadvantaged. Finally, to ensure that those most in need of services would receive them, priorities for using funds were established. The legislation required each State to establish priority for providing a free appropriate public education first to handicapped children who are not receiving an education and second to handicapped children within each disability category with the most severe handicaps who are receiving an inadequate education.

Other safeguards required responses designed to ensure accountability from the States, and ultimately, the Office of Education. The State plan, for example, was to include policies and procedures designed to assure that funds paid to the State would be spent according to the act's provisions. The Commissioner of Education was to develop a uniform financial report to be used by the States to determine the number of children age 5 to 17 in

each State, and among other charges, assure that each State provided certification of the actual number of handicapped children receiving special education and related services.

The Congress took additional precautions against the overclassification of disadvantaged and minority group children as handicapped. Each State was required to establish procedures to assure, for example, that evaluation and test materials and procedures used to assess and place handicapped children were not racially or culturally discriminatory and that they would be administered in the child's native language or mode of communication. Procedural guarantees such as the right of parents or guardians to present complaints with respect to the identification, evaluation, or educational placement of the child and the opportunity for an impartial due process hearing in such cases also served, in part, to guard against this potential abuse.

Specific precaution against potential abuse in overclassifying children as handicapped was taken for the learning disability condition. The problem involved a lack of established diagnostic procedures for determining the condition and lack of criteria for determining the severity of the condition. The Congress had heard testimony that the entire lower quartile of a normal class could be classified as having some learning disability--that the types of disabilities ranged from motivational problems and immaturity to serious conditions such as dyslexia (a severe reading disability). The Congress feared that children with mild personal problems would be improperly labeled as learning disabled and stigmatized for life because they were difficult for the classroom teacher. It was also feared that large numbers of children with mild learning problems caused by environmental, cultural, or economic disadvantage would also be improperly labeled. Consequently, the Congress limited the number of children who could be counted under the condition of "specific learning disability" to no more than 2 percent of the number of children aged 5 to 17, inclusive, in each State. The intent was to instruct the States that the principal Federal objective was assisting the most severely handicapped of these children. It was a safeguard to prevent any possible disproportionate allocation of funds to a handicapped category, the magnitude of which was not clearly known or understood.

The 2 percent cap was to be effective only until the Commissioner of Education, as directed by legislation, developed final regulations which (1) established specific criteria for identifying a specific learning disability, (2) established and described diagnostic procedures to be used in identifying a child as having a specific learning disability, and (3) established monitoring procedures to determine if State and local educational agencies were in compliance with the criteria and procedures. Shortly after the December 29, 1977, publication in the Federal Register of final regulations on procedures for evaluating specific learning disabilities, the 2 percent cap was removed.

In summary, the Congress responded to concerns about mandating a universal right to education policy for handicapped children and assumptions about what the specific problems would be. These actions generally called for a mirror response from Federal and/or State education agencies. Whether initial fears were, in fact, actualized or whether the Congressional actions served to prevent or reduce the potential problems are studied in this review.

PROGRAM DESCRIPTIONS

Public Law 94-142 is not the only funding source for services to handicapped children. The Vocational Education Amendments of 1968 (Public Law 90-576), for example, require a 10-percent set-aside for handicapped students; the Economic Opportunity Act Amendments of 1972 (Public Law 92-424) mandate that 10 percent of the enrollment opportunities in Head Start programs be set aside for handicapped children, and the Education of the Handicapped Act, as amended (Public Law 95-49) provides grants for regional centers which provide services to deaf-blind children. Public Law 94-142 is, however, the largest financial assistance program for all handicapped children except those in State-operated or supported schools. For the latter group, Public Law 89-313 is the major funding source. Section 504 of the Rehabilitation Act of 1973 supports both statutes.

Public Law 94-142

The Education for all Handicapped Children Act, Public Law 94-142, passed by the Congress in November 1975 and effective October 1977, and the regulations implementing the act require State education agencies (SEAs) and local education agencies (LEAs), as a condition of funding, to provide an appropriate public education, including special education and related services, to all handicapped children regardless of the severity of their handicaps. This education must be provided at no cost to parents and in the most normal and least restrictive environment appropriate to the child's needs. To identify the child's needs, a multidisciplinary team, using instruments and procedures which are neither racially nor culturally discriminatory, must individually evaluate the child in all areas related to the suspected disability. If, based on this individual evaluation, the child is determined to be handicapped, a written individualized education program (IEP) is developed for the child. Handicapped children under the act are those found to be mentally retarded, hard-of-hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, other health impaired, learning disabled, deaf-blind, or multihandicapped, and to require special education and related services. The child's parents are involved in developing the IEP and allowed to challenge educational decisions related to their child's evaluation, placement, or special education program.

The legislation gives each SEA the primary responsibility for ensuring that a free appropriate public education is available for all handicapped children. While the program is administered by the Office of Special Education (OSE) under the guidance of the Education Department's Assistant Secretary for Special Education and Rehabilitative Services, the SEA must monitor local and intermediate education agencies, and other State agencies providing educational services to handicapped children to assure compliance. Unlike other Federal education legislation, Public Law 94-142 has no expiration date.

States and other jurisdictions which agree to meet the requirements receive a formula grant. To date, all States except New Mexico participate in the program. 1/ Each participating State annually gets an amount equal to the number of children age 3 through 21 receiving special education multiplied by a specific proportion of the national average per pupil expenditure. The authorized percentage multiplier for 1978 was 5 percent, 10 percent in 1979, 20 percent in 1980, 30 percent in 1981, and is scheduled to freeze at 40 percent for 1982, and thereafter. The grant pays a portion of the excess cost of providing a free appropriate public education to handicapped children. Fiscal assistance is also provided to the States by a preschool incentive grant which is designed to promote State and local services to children ages three through five.

The following chart shows Federal funding since 1977.

Fiscal year	Amount appropriated (millions)	Amount per handicapped child
1977	$315	$ 72
1978	465	156
1979	804	211
1980	874	227
1981	922	239 (est.)

The FY 1981 appropriation provided about 12 percent of the average per pupil expenditure (to be applied toward the excess costs of serving handicapped children).

Under the Public Law 94-142 incentive grant program, $300 is authorized for each handicapped child ages three to five provided special education and related services. Allocations to States under this provision have increased from $12.5 million in FY 1978 to $25

1/While not required to follow Public Law 94-142 procedures, New Mexico voluntarily submits an annual count of handicapped children receiving special education and related services to OSE.

million in FY 1981. The FY 1981 allocation represents about an additional $110 per child.

Of the total funds that a State receives, only 5 percent or $300,000 (increased from $200,000 by Public Law 96-270 in June 1980), whichever is greater, may be used for administrative costs. At least 75 percent of a State's grants is to flow through the SEA to LEAs that apply. The State can spend its portion for both direct service and support (e.g., personnel training). The SEA must, however, match its allocation on a program basis (e.g., personnel development).

To receive funds from OSE, a State must have an approved program plan. While annual plans had been required, beginning in FY 1981, a three year plan was accepted (Education Amendments of 1978, Public Law 95-561). The plan provides assurances that all eligible children will receive a free appropriate public education and describes the procedures for meeting those assurances. OSE reviews each plan and when approved, funds are awarded to the State for the next fiscal year (forward funding). OSE also conducts monitoring visits to determine that practices, policies, and procedures consistent with Public Law 94-142 are in place. OSE developed regulations related to the act and provided technical assistance. The Department of Education Organization Act (Public Law 96-88) created a Department of Education (ED) to administer all education programs that had been administered by HEW. On May 4, 1980, responsibility for the activities discussed in this report was given to the Office of Special Education and Rehabilitative Services in ED.

Public Law 89-313

The program authorized by Public Law 89-313, approved November 1, 1965, as an amendment to title I of the Elementary and Secondary School Act of 1965 (20 U.S.C. 236 et seq.), provides grants for the special education of handicapped children in State-operated or supported schools or to handicapped children formerly in State schools who have transferred to special education programs in local public schools. 1/ The SEAs monitor State agencies who receive Public Law 89-313 funds. Public Law 89-313 is administered by OSE.

Section 504 of the Rehabilitation Act of 1973

In April 1977, final regulations implementing Section 504 of the Rehabilitation Act of 1973, Public Law 93-112, were issued

---

1/Public Law 89-313 was approved November 1, 1965 as an amendment to title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 236 et seq.).

for recipients of funds from HEW. Section 504 provides that handicapped persons cannot be discriminated against solely on the basis of their handicaps. The regulations parallel basic Public Law 94-142 requirements. Both require, for example, that a free appropriate public education be provided to handicapped students, that handicapped students be educated with nonhandicapped students to the maximum extent appropriate, and that procedures be established for identifying and locating all handicapped children. On the whole, Public Law 94-142 is more prescriptive than the Section 504 regulations. For example, while Public Law 94-142 specifies IEP requirements, Section 504 regulations simply require a program that is designed to meet individual needs.

With the Department of Education Organization Act, oversight responsibility for the educational portion of Section 504 shifted to ED's Office of Civil Rights (OCR). With the assistance of regional offices, OCR monitors and enforces compliance, investigates complaints, and provides technical assistance on Section 504. Unlike Public Law 94-142, the State has no specific oversight role in implementing the requirements. LEAs file an assurance form directly with OCR. While there are no funds attached to the legislation, implementation is mandatory.

Although a SEA need not participate in Public Law 94-142, it is required by Section 504 and its implementing regulations to provide a free appropriate public education for qualified handicapped children. A LEA also could decide not to participate in Public Law 94-142, but it would still have to comply with State statutes and regulations concerning handicapped children as well as the Section 504 regulations. No funds are available to assist Section 504 compliance without participating in Public Law 94-142.

OBJECTIVES, SCOPE, AND METHODOLOGY

We undertook this task at the request of the House Subcommittee on Select Education. Specifically, we were asked to conduct a technical review of existing evaluation studies pertaining to the act on: (1) the number and characteristics (such as age, race, handicapping condition, and severity of handicaps), of children receiving special education, (2) the characteristics of children less often included in special education programs, (3) the characteristics of children over-represented in special education programs, and (4) factors related to who gets special education.

A substantial number of evaluation studies have looked at access to special education. Some of these studies took a broad look at Public Law 94-142 issues, others had a more narrow focus. For some, investigating access to special education was a primary purpose, but for others, it was only secondary at best. Some shared a common methodology, while others differed not only on methodology, but also in data sources. Overall, the studies varied in the soundness of procedures and appropriateness of the methodology.

This evaluation synthesis was done to determine what is actually known about access to special education, the level of confidence attributable to the findings, and the information gaps that still exist. Our synthesis involved several steps. First, a framework for identifying the relevant evaluation questions concerning access to special education was established (see Table 1.1, p. 12). Second, each study was classified according to the question(s) it addressed (see appendix I). An examination across studies showed commonalities as well as information gaps. Third, the validity or soundness of the study was judged (appendix I). Important methodological weaknesses which affect the validity of the study's findings were identified. The final step was to determine the best available information source (or sources) for addressing each question and to determine the degree of confidence attributable to the findings.

Framework For Evaluation Questions

Congressional concerns, as previously discussed, served as a starting point in developing a set of evaluation questions. As shown in Table 1.1, there are four basic evaluation questions related to special education access: "Who gets special education?"; "Who does not?"; "Who is over-represented in the program?"; and "What factors are related to who gets special education?." Each evaluation question is then broken down into specific subquestions. While the subquestions are not an exhaustive list, they are necessary for a comprehensive response to each major question. In general, when the subquestions use terminology such as over- or under-representation or over-classification, we are referring to numerical proportions.

The Evaluation Studies and Data Bases

The fifteen evaluation studies and two data bases reviewed on access to special education are listed in Table 1.2. The table also indicates the source or contractor for the study, the evaluation questions and subquestions addressed, the basic methodology employed, and the period in which the information was collected or, in some cases, was current.

One reason for the considerable number of relevant studies is the Federal plan for the evaluation of Public Law 94-142. 1/ OSE is responsible for conducting the evaluation specified in Section 618 of the act. The evaluation plan calls for multiple studies to address a series of evaluation questions, a variety of study methodologies, and a phasing of studies over time. Currently, seven evaluation studies have been contracted by OSE which, at least in part, examine access to special education. In Table 1.2, these studies are indicated by an asterisk.

1/See Kennedy [6].

Several studies were undertaken through other offices of the former Office of Education. Additionally the Office of the Inspector General for the then HEW, completed a service delivery assessment of the act and a coalition of education advocates reviewed OSE's administration of the act. Also, as previously discussed, we recently reviewed Public Law 94-142 implementation.

TABLE 1.1

ACCESS TO SPECIAL EDUCATION EVALUATION QUESTIONS

Question	Subquestion
1.0 What are the numbers and characteristics of children receiving special education and related services?	1.1 How many children are being served?
	1.2 What are the ages and grade levels of children served?
	1.3 What is the distribution by sex of children served?
	1.4 What is the racial/ethnic breakdown of children served?
	1.5 What handicapping conditions do the children served have?
	1.6 How severe are the handicaps?
2.0 Are there eligible children who are unserved or underserved?	2.1 What is the estimated number of eligible children?
	2.2 Are any age groups (such as preschool and secondary) underserved?
	2.3 Does the number of children served change at school transition points (such as elementary to junior high)?
	2.4 Are migrant and other mobile children served?

Question	Subquestion
	2.5 Are any categories of handicapping conditions underrepresented?
	2.6 What is the drop-out rate among handicapped children?
3.0 Are certain types of children overrepresented in special education?	3.1 Are any categories of handicapping conditions overrepresented?
	3.2 Is there overrepresentation of minority children by handicapping condition?
	3.3 Is there overrepresentation by sex and handicapping condition?
4.0 What factors influence who gets special education?	4.1 Is there bias in child referral and assessment procedures?
	4.2 What impact do differences in State definitions of handicapping conditions have?
	4.3 What impact do school district resources have on access to special education?
	4.4 To what extent do title I of ESEA, title VII of ESEA, and Public Law 94-142 overlap?

Additionally, several large data bases contain information relevant to access to special education. As shown in Table 1.2, one major data base is the Child Count required by Public Law 94-142. For each year listed, aggregates are available of children served by the State under Public Law 94-142 and Public Law 89-313 by handicapping condition. The other large data base consists of information on children participating in special education programs as gathered through Elementary and Secondary School Civil Rights Surveys conducted by OCR.

The findings from these evaluation studies and data bases were integrated to portray the whole picture of access to special education.

Assessment of studies

Study reviews and description of major data bases are in appendix I. Each review describes the study's purpose, data collection period, sample and selection procedures, data collection, data analysis and general usefulness. Criteria for determining usefulness were indicators of sound methodology. The emphasis of all studies reviewed was descriptive. Each was a snapshot--some with a more narrow focus than others--of one or more aspects of Public Law 94-142 implementation at a particular time. Yet, whether case study, survey or content analysis, each study was subjected to questions about its soundness.

In reviewing the studies, each report was subjected to the following types of questions:

Are the study's objectives stated?

Are the objectives appropriate with respect to timeliness?

Is the study's design clear?

Is the design appropriate to the objectives?

Are sampling procedures and the study sample adequately described?

Are the sampling procedures and sample adequate?

Is there description of how data collectors were selected and trained?

Are there procedures to ensure reliability across data collectors?

Is there description of how instruments were developed and field tested?

Do the variables measured relate to the study objectives and design?

TABLE 1.2

SUMMARY OF RELEVANT STUDIES AND DATA BASES

Name	Source/ contractor	Evaluation question/ subquestion	Methodology	Data collection period
I. Studies				
A National Survey of Individualized Education Programs for Handicapped Children*	Research Triangle Institute	1.0/1.1-1.6 2.0/2.2,2.3 3.0/3.1,3.2, 3.3	National Survey	2/79-5/79
A Study of the Implementation of Public Law 94-142 for Handicapped Migrant Children	Research Triangle Institute	2.0/2.4	Survey	3/80-5/80
Case Study of the Implementation of Public Law 94-142*	Education Turnkey Systems	4.0/4.1,4.3	Case Study	Fall 1977-Winter 1979
Local Implementation of Public Law 94-142: First Year Report of a Longitudinal Study*	SRI International	2.0/2.1,2.2 4.0/4.1,4.2, 4.3	Case Study	9/78-6/79

*Indicates studies conducted for OSE in response to the Federal plan for evaluation of Public Law 94-142.

Name	Source/ contractor	Evaluation question/ subquestion	Methodology	Data collection period
An Analysis of Categorical Definitions, Diagnostic Criteria and Personnel Utilization in the Classification of Handicapped Children*	The Council for Exceptional Children	4.0/4.2	Document Review	State documents in effect July 1977
Validation of State Counts of Handicapped Children: Volume II- Estimation of the Number of Handicappped Children in Each State*	Stanford Research Institute	2.0/2.1	Review of Studies	Study conducted prior to 1977
Service Delivery Assessment: Education for the Handicapped	Office of the Inspector General, DHEW	2.0/2.1,2.2 4.0/4.1,4.2, 4.3	Case Study	Report issued 5/79
Unanswered Questions on Educating Handicapped Children in Local Public Schools	Comptroller General, GAO	2.0/2.1 3.0/3.1 4.0/4.2,4.3	Case Study	1977-1979
Case Studies of Overlap Between Title I and Public Law 94-142 Services for Handicapped Students	SRI International	4.0/4.4	Case Study	Report issued 8/79

Name	Source/ contractor	Evaluation question/ subquestion	Methodology	Data collection period
School Districts Participating in Multiple Federal Programs	National Center for Education Statistics	4.0/4.4	National Survey	Winter 1978-1979
Federal Compliance Activities to Implement the Education for all Handicapped Children Act (Public Law 94-142)	Education Advocates Coalition	3.0/3.2 4.0/4.1	Case Study	Ended 12/79
A Study to Evaluate Procedures Undertaken to Prevent Erroneous Classification of Handicapped Children *	Applied Management Sciences	2.0/2.1 4.0/4.1	National Survey	Fall 1980-Spring 1981
Issues and Policy Options Related to the Education of Migrant and Other Mobile Handicapped Students	The Council for Exceptional Children	2.0/2.4	Focused Survey	Report issued 11/80
A Study of Special Education Student Turnover*	SRI International	1.0/1.1,2.0/ 2.3,2.6	Case Study	Retrospective to Fall 1978 and through the 1980-81 school year

*Indicates studies conducted for OSE in response to the Federal plan for evaluation of Public Law 94-142.

Name	Source/ contractor	Evaluation question/ subquestion	Methodology	Data collection period
State Allocation and Management of Public Law 94-142 Funds	Rand	2.0/2.1	Case Study	January-June 1980
II. Data Bases				
Public Law 94-142 State Child Count Data	Office of Special Education	1.0/1.1,1.5 2.0/2.2,2.5 3.0/3.1	Population Count	1976 (average of two counts) 1977 (average of two counts) 1978 1979 1980
Elementary and Secondary Civil Rights Survey	Office of Civil Rights	1.0/1.1,1.3, 1.4,1.5 3.0/3.1,3.2, 3.3	National Survey	1976 1978 1980 (Preliminary)

Is an analysis plan presented and is it appropriate?

Are the conclusions supported by the data?

Are study limitations identified?

This list is not a definitive set of standards but shows some of the validity issues raised in reviewing the studies. Applying particular questions depended on the special methodological character of each study. If, for example, a study used no instruments, there was a correspondingly closer look at checks to ensure reliability across data collectors.

CHAPTER 2

WHAT ARE THE NUMBERS AND CHARACTERISTICS OF CHILDREN RECEIVING SPECIAL EDUCATION?

Data indicate that 4,178,631 handicapped children received special education during the 1980-81 school year. This includes children counted under Public Law 94-142 and Public Law 89-313. Additionally, the data indicate that approximately 65 percent of the children in special education programs were male and that some racial/ethnic groups have a high participation rate compared to the general population. OSE data show that three handicapping conditions account for 85 percent of children receiving special education--learning disabled, speech impaired, and mentally retarded. Finally, of the children receiving special education, 13 percent were classified as having severe handicaps, 36 percent as moderate handicaps, and 51 percent as mild handicaps.

We place high confidence in studies of the number of handicapped children in special education by age, sex, race/ethnicity, condition, and severity. However, we place less confidence in the data reporting the total number of children being served.

Six subquestions were used to determine the numbers and characteristics of children receiving special education.

How many children are being served?

What are their ages and grade levels?

What is their distribution by sex?

What is the racial/ethnic breakdown of the children served?

What handicapping conditions do the children have?

How severe are their handicaps?

This chapter synthesizes available findings, assesses the degree of confidence for the findings, and identifies the information gaps and inadequacies that remain to be addressed.

HOW MANY CHILDREN ARE BEING SERVED?

According to State agency counts reported to OSE, a total of 3,935,146 children ages 3 through 21 were receiving special education and related services under Public Law 94-142 during

school year 1980-81. 1/ An additional 243,485 children received special education that year under Public Law 89-313. In all, 4,178,631 handicapped children, or 8.55 percent of the estimated 5-17 year old population, were reported as receiving special education and related services in the 1980-81 school year. 2/ OCR data supplied by school districts indicate that 2,615,852 children received special education. Another survey, using information supplied by school principals, estimated that slightly over 3 million children ages 3-21 were receiving special education on December 1, 1978. 3/

How sure can we be of these numbers? To check the accuracy of the OSE child count data we compared these data with OCR estimates of the numbers of handicapped children. The OCR data were obtained through the civil rights surveys of elementary and secondary schools. While these two data sources have divergent purposes, data collection methods, and reporting procedures, some degree of consensus would be expected. An initial examination of the 1978 data in Table 2.1 raises large, although possibly misleading, concern about the accuracy of the OSE child count data. When restricted to the 50 States and the District of Columbia and to the four major handicapping conditions, our analysis shows the OSE child count as almost 23 percent higher than the OCR school total.

The following compares purposes, data collection methods, timing of data collection, reporting content and procedures, and internal reliability of the two efforts. The analyses show that differences between the two efforts could account for the different counts of handicapped children. On the other hand, there is no assurance that the OSE child count data are accurate. Further investigation is needed.

Purposes

The annual child count of children receiving special education and related services as defined by Public Law 94-142 is to establish funding levels for participating States. The OCR survey, on

---

1/The 1980-81 figures reported for Public Law 94-142 and Public Law 89-313 do not include the Virgin Islands or Trust Territories.

2/OSE compares the number of children ages 3-21 served as handicapped with the estimated 5-17 year old population to check that no State is serving more than 12 percent of its 5-17 year old population as handicapped. The 5-17 year old population estimates thus become the base for many other OSE analyses of the child count data.

3/See appendix I, pp. 96-97.

the other hand, assesses compliance of LEAs with civil rights statutes such as Section 504 of the Rehabilitation Act of 1973. Thus, for OCR it is of primary importance that confidence can be placed in LEA data.

TABLE 2.1

SUMMARY OF DIFFERENCES BETWEEN 1978 STATISTICS FOR SPECIAL EDUCATION (notes a, b, c)

Handicap category	Number served/participating: State OSE count	OCR school level survey	OSE-OCR	Difference of OCR from OSE (percent)
Speech impaired	1,207,569	826,385	381,184	-31.57
Learning disabled	1,116,925	962,111	154,814	-13.86
Mentally retarded	788,320	691,956	96,364	-12.22
Emotionally disturbed	268,598	135,400	133,198	-49.59
Total	3,381,412	2,615,852	765,560	-22.64

a/The source for the OSE data is the 1978 Child Count as presented in State Profiles prepared for OSE by Applied Urbanetics Institute under contract 300-78-0467, June 4, 1980. The source for the OCR data is State, Regional and National Summaries of Data From the 1978 Civil Rights Survey of Elementary and Secondary Schools prepared for OCR by Killalea Associates under contract 100-78-006, April 1980.

b/The OSE data for the four handicapping conditions include children ages 3-21 counted under Public Law 94-142. The OCR data for the four handicapping conditions include "school-age" children.

c/See appendix II for the State-by-State analysis of differences between the two data sources.

Data Collection Methods

The OSE child count data are State aggregates of children receiving special education on December 1 every year. The count includes those who receive services from a local school district, an intermediate or regional district, or directly from a State agency such as a Department of Corrections. Thus, the child count is a population count. In contrast, the OCR surveys school districts and individual schools. The figures reported in Table 2.1 reflect only those handicapped children known to the schools. Because it is a survey, the OCR data are subject to sampling error. A sample determines the range of values which have a high probability of including the population average. Standard errors are used to determine the range and allow a reviewer to determine, for example, that we are 95 percent sure that the true number is between two specific points. The User's Guide to the Data File provided by OCR does not, however, indicate the standard errors. Thus, although we found that in 35 States the OCR and OSE 1978 counts (the one projected and the other actual) differ by more than 15 percent, we do not know if this difference is reasonable, since no sampling error was given.

Also, although the OCR sample is large, OCR documents indicate that it is not all a random sample and that some projections may be biased. More than 6,000 school districts were selected as a sample of the approximately 11,500 districts that enrolled at least 300 pupils. About 27 percent of the Nation's school districts, however, have enrollments under 300; these districts enroll about 516,000 students or about 1.2 percent of the total pupil enrollment. 1/ Additionally, the districts were not all selected randomly from the pool including over 300 pupils--some 2,100 districts were "forced" or required to be in the sample based on compliance status or the receipt of funds under the Emergency School Aid Act. The remaining districts were selected on several factors: the desire to project data to State, regional, and national levels; to obtain high coverage of certain groups such as minority groups and special education participants; and to survey districts in which data from the 1976 survey suggested potential discrimination. 2/

1/Table 2.15: Number of public school systems, number of schools, and number of pupils enrolled by size of system: Fall 1977; In: The Condition of Education, 1979 Edition, Statistical Report, National Center for Education Statistics.

2/Summarized School District Civil Rights Data, 1978. User's Guide to the Data File. Prepared for OCR by Killalea Associates under contract 100-78-0063, May 1980.

Excluding districts with enrollments under 300 suggests that the OCR survey undersampled rural districts and thus rural States. Overall, OCR enrollment projections agree fairly well with official National Center for Education Statistics (NCES) enrollment data for Fall 1978; OCR projections differ by less than 2 percent from the NCES figures. 1/ A number of rural States do appear, however, to have been undersampled by more than 10 percent--Montana, Nebraska, New Hampshire, North Dakota, South Dakota, and Vermont.

While undersampling may account for the lower OCR estimates of children served in these States, it does not help to explain the wide range of differences between the OCR and OSE data in other States. For example, another rural State, Alaska, was undersampled by more than 5 percent, and yet the OCR count for the State exceeded the Public Law 94-142 count.

Timing of Data Collection

The OCR survey data collection precedes the OSE child count. All child count data were collected on December 1, 1978, while OCR data were due October 15, 1978. This could account for generally lower OCR estimates of children served. Since the school year begins in September, there is little time for teachers to identify, refer, and evaluate children needing special education. Therefore, it could be hypothesized that more children would be receiving special education in December than in October. School districts also have a funding incentive to "gear-up" for the December 1 count. Only one study addressed this hypothesis --the Study of Student Turnover from Special Education 2/--and the data are not yet available. The study is limited, however, to a small number of case studies, and findings will only suggest whether a more representative study should be conducted.

Reporting Content and Procedures

The OSE child count includes all children ages 3-21 being provided special education and related services in accordance with Public Law 94-142 provisions except for those served under Public Law 89-313. The OCR survey differs in several respects. First, data are requested on school-age children. This may have been interpreted by some as including children between the ages of 3-21 or it may have been interpreted as including only children in the 5-17 year age group. No source indicates whether interpretations of "school-age children" played any role in lower OCR counts.

1/See appendix III for State-by-State comparisons of enrollment totals.

2/See appendix I, pp. 106-107.

Second, the school level data include children served only at the sampled school. Children sent by the district to a private school, for example, or served in a regional State program run by an intermediate educational unit, or by State agency would not be included. Such procedures would result in a lower OCR count. For example, in Ohio the Department of Mental Health/Mental Retardation runs schools for the trainable mentally retarded. While the 1978 OCR survey data project only 176 trainable mentally retarded children--those served in elementary and secondary schools within public school districts--the actual number of trainable mentally retarded students served in the State was thousands higher.

A third difference concerns categories of handicapping conditions. Counts of mentally retarded children were fairly similar (the OCR count was lower than the OSE count by 12 percent) despite the fact that the OCR survey does not include severely/profoundly mentally retarded children. On the other hand, the Public Law 94-142 counts of emotionally disturbed children were almost 50 percent higher than the OCR counts. The OCR survey directions explicitly requested that children in programs for the socially maladjusted not be included; this direction may have resulted in some confusion. Alternatively, these children may frequently be served outside the district. No test of these or other hypotheses seems, however, to have been conducted. There also were large differences in the counts of speech-impaired children with the OSE child count exceeding the OCR count by 31 percent. The User's Guide to the Data File notes that some districts were found to have excluded speech-impaired children from the count (on the grounds that the service provided was so modest as not to be considered a special education "program"). Thus, at the district level, it is acknowledged that the OCR counts may be underestimates. While it seems reasonable that the problem may also have occurred at the school level, no investigation appears to have been conducted.

Internal Reliability

The OCR survey requested the number of children participating in special education programs both from the school district and the individual schools comprising the district. Agreement between these two numbers would substantiate internal reliability. The User's Guide to the data file discusses problems with these data for Florida and Massachusetts, but not for States as a whole.

Data analysis shows that across States the school district-level data differ from the school-level data. Even taking into account those children served outside the district (who may not have been known to individual schools), in 36 States the numbers

of children reported differed by more than 10 percent. 1/ While some difference is expected because the school district count includes children with all handicapping conditions and the school count does not, it is not clear that this accounts for the difference.

In summary, large discrepancies exist between the OCR estimates of children participating in special education programs and the Public Law 94-142, OSE counts of children receiving special education services. Analysis of the discrepancies indicates, however, that differences in the efforts (especially data collection methods, timing, and reporting content and procedures) could account for the estimated differences. This does not mean, however, that those Public Law 94-142 child count data are accurate. Further investigation in selected States would help verify the child count data.

A third data source was reviewed--A National Survey of Individualized Education Programs (IEPs) for Handicapped Children. 2/ The survey data are generalizable to the Nation but not to individual States. A total of 208 school districts, 507 schools, and 2,657 students comprised the sample--a small sample compared to the OCR sample. School principals prepared a list of all enrolled handicapped students as of December 1, 1978, and indicated whether or not a current IEP was available for each child. Since the study's purpose was to sample, collect, and analyze selected IEPs, principals had reason to be accurate as to who had and did not have an IEP.

Based on the data reported by principals, slightly over 3 million students ages 3-21 were estimated as being served on December 1, 1978. 3/ This estimate includes children, ages 3-21, enrolled in public elementary and secondary schools administered by LEAs and those enrolled in schools operated by cooperative districts. The standard error given by the study indicates that we can be 95 percent sure that the true population count (given the same parameters) is between approximately 2.8 million children and 3.3 million children. These data indicate that with the 1978-79 Public Law 94-142 count at about 3.7 million, there should be about 400,000 children receiving special education services who are not counted by local school districts and regional or intermediate education agencies.

1/See appendix II for State-by-State comparison of School District-level (Form 101) data with School level (Form 102) data.

2/See appendix I, pp. 96-97.

3/The data were adjusted to take into account the restriction of the IEP survey to 47 of the 48 contiguous States.

WHAT ARE THE GRADE LEVELS AND AGES OF THE CHILDREN SERVED?

According to a national survey for the 1978-79 school year, 57 percent of handicapped students receiving special education and related services were in grade 6 or below and 29 percent in grades 7 through 12. Grade level information was unavailable for 14 percent of the handicapped students. The data also show that 67 percent of the handicapped students were 12 years of age or younger; the average age was 8 years.

Two data sources provided information on the ages/grade levels of handicapped children served under Public Law 94-142. One source, the National Survey of Individualized Education Programs, provides data on the distribution of handicapped students for each grade from pre-kindergarten through grade 12 and for each age, 3 years through 12 years. 1/ The other source, the Public Law 94-142 child count, provides age data for three categories: the 3-5 group, the 6-17 group, and the 18-21 group. Given this limited breakdown, the national survey is the preferred source of information. Child count data can, however, be used to check the survey data.

As shown in Figure 2.1, the survey found that during the 1978-79 school year 57 percent of students with IEPs in LEA-administered schools were in grade 6 or below and 29 percent in grades 7 through 12. But because grade-level information was not available for 14 percent of the handicapped students (presumably these students were in ungraded classes), age levels are the better measure.

The distribution of students with IEPs by age is displayed in Table 2.2. The typical handicapped student in school year 1978-79 was 8 years old; 67 percent of the handicapped students were 12 years of age or younger.

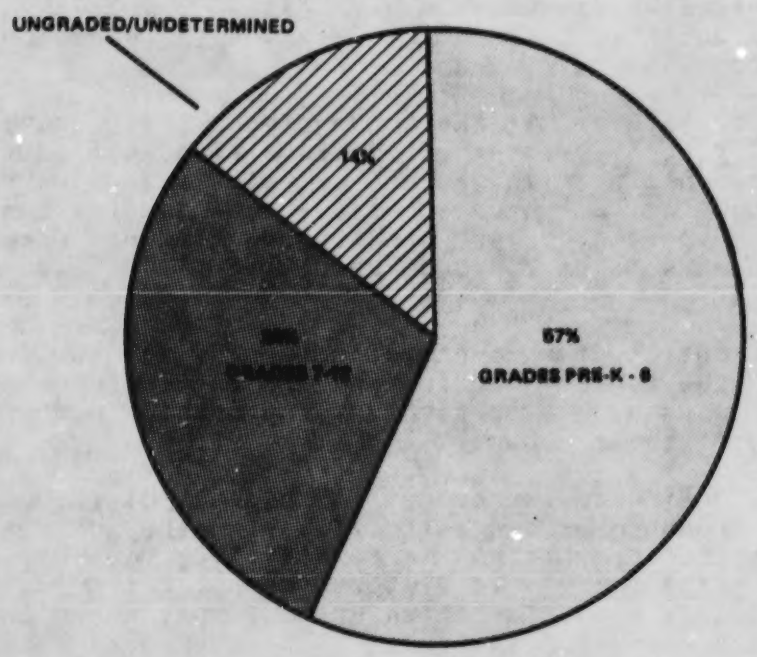
How much confidence can be put in this age distribution? Review of the standard errors associated with the age distribution indicates that the error terms are relatively large only for the 3-5 years group and for the 18-21 years group, a finding related to the small sample sizes for these groups. Using the Child Count data, the better source of information for the aggregate 3-5 years and 18-21 years age group, the survey estimates appear low for the younger groups and high for the older groups.

1/The National Survey of Individualized Education Programs for Handicapped Children and The Public Law 94-142 Child Count Data Base are described and reviewed in appendix I.

In summary, the Child Count data confirm the need to account for the standard errors identified in the survey findings. Using the standard error, we can have confidence in the survey age-level data.

FIGURE 2.1

DISTRIBUTION OF STUDENTS (AGES 3-21) WITH IEPS SERVED IN LEA-ADMINISTERED SCHOOLS ON DECEMBER 1, 1978, BY GRADE LEVEL (IN PERCENTS)[1]



1
SOURCE: PYECHA, J. A NATIONAL SURVEY OF INDIVIDUALIZED EDUCATION PROGRAMS FOR HANDICAPPED CHILDREN. RESEARCH TRIANGLE PARK, N.C.: RESEARCH TRIANGLE INSTITUTE, OCTOBER 1980.

TABLE 2.2

DISTRIBUTION OF STUDENTS WITH IEPS SERVED IN LEA-ADMINISTERED SCHOOLS ON DECEMBER 1, 1978, BY AGE (IN PERCENTS WITH STANDARD ERRORS NOTED IN PARENTHESIS)
(notes a, b)

Student age	Percent
3 years old	0.4 (0.2)*
4 years old	0.7 (0.3)*
5 years old	2.6 (0.7)
6 years old	6.7 (0.7)
7 years old	8.8 (1.0)
8 years old	10.9 (0.9)
9 years old	9.1 (0.9)
10 years old	9.7 (0.7)
11 years old	9.4 (0.9)
12 years old	7.9 (0.9)
13 years old	7.3 (0.9)
14 years old	6.5 (0.7)
15 years old	6.7 (0.5)
16 years old	5.8 (0.6)
17 years old	3.6 (0.5)
18 years old	2.5 (0.3)
19 years old	0.8 (0.2)*
20 years old	0.3 (0.1)*
21 years old	0.2 (0.1)*
Total	a/100.0

*Cell has estimated sample size of less than 25.

a/Detail does not add to total because of rounding.

b/Source: Pyecha, J., A National Survey of Individualized Education Programs for Handicapped Children, Research Triangle Park, N.C.: Research Triangle Institute, October 1980.

WHAT IS THE DISTRIBUTION BY SEX OF THE CHILDREN SERVED?

Across the Nation's schools in 1978, of the students from the ages of 3 through 21 who were enrolled, 51 percent were male and 49 percent were female. 1/ This proportion generally held across age groups. Two national surveys conducted in 1978, the National Survey of Individualized Education Programs (IEPs) for Handicapped Children and the OCR Fall 1978 Elementary and Secondary Civil Rights Survey, 2/ looked at male and female students receiving special education in public schools. From these surveys, projections can be made about the proportions of special education students in the Nation's public schools who are male and female.

Although the surveys investigated slightly different groups, the findings are similar. The IEP survey found that of students with IEPs, close to 64 percent were male and about 36 percent were female. Confidence in these data is high. Based on the error terms, we can be 95 percent sure that the true proportion of males with IEPs in 1978 was between 61 and 66 percent and the true proportion of females was between 34 and 39 percent. These figures do not include about 5 percent of the students for whom schools reported providing special education services but also reported as having no IEPs. The OCR survey found that of those participating in special education programs for the educable or trainable mentally retarded, learning disabled, speech impaired, and emotionally disturbed, 66 percent were male and 34 percent were female. No error terms were provided.

In comparing these proportions to those of the general student enrollment, it is clear that males are overrepresented and females are underrepresented in special education. Based on the OCR survey data, there are almost twice as many male students receiving special education as female students. The IEP survey found this relationship generally held across age groups.

One major unaddressed question is the nature and extent of etiological reasons for the sex distribution imbalance. Another is the nature and extent of bias in identifying children as needing special education (see chapter 5).

1/School Enrollment - Social and Economic Characteristics of Students: October 1978. Current Population Reports, Series P-20, No. 346; U.S. Department of Commerce, Bureau of the Census.

2/Both surveys are described in appendix I.

WHAT IS THE RACIAL/ETHNIC BREAKDOWN OF CHILDREN SERVED?

A major purpose of the Fall 1978 Elementary and Secondary Schools Civil Rights Survey was to investigate discrimination based on race or ethnicity. The survey collected data from more than 6,000 school districts selected as a sample of the approximately 11,500 districts (out of a total of about 16,000 school districts) that enroll at least 300 students. The survey found that for the national enrollment, 75 percent of the students were white, 16 percent were black, 7 percent Hispanic, 1 percent Asian American, and 1 percent American Indian. 1/

The survey also investigated participation in selected special education programs by race/ethnicity. These included programs for the educable mentally retarded, the trainable mentally retarded, the seriously emotionally disturbed, the learning disabled, and the speech impaired. These were termed the "judgmental" special education programs by OCR because administrators' and teachers' judgments play a greater part in assigning students to these classes than to programs for the "hard" handicapping conditions such as deafness. These five categories account for over 90 percent of students provided special education.

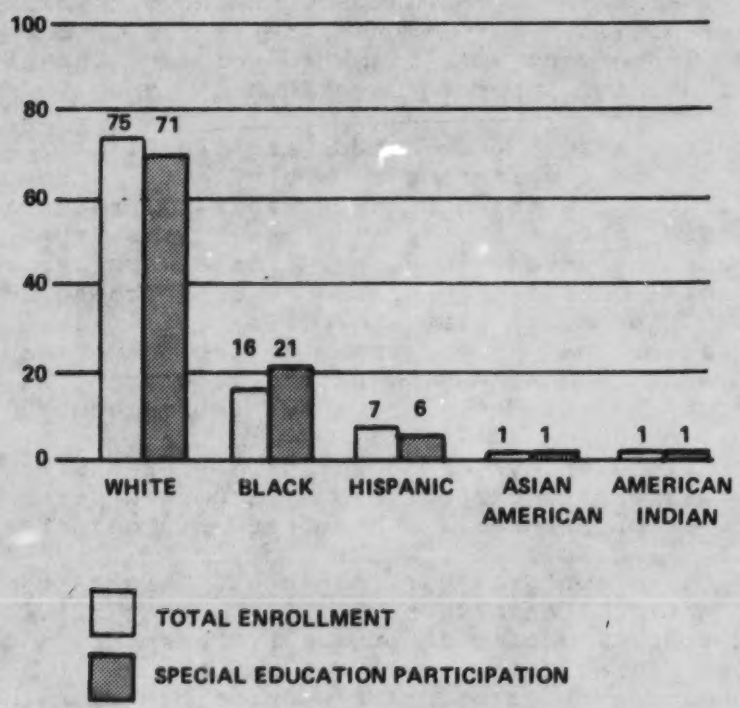
Figure 2.2 displays the total student racial/ethnic breakdown and the racial/ethnic proportions of students participating in special education programs. White students comprise 75 percent of the national enrollment, while they are 71 percent of the special education program participants. Black students are 16 percent of national enrollment and 21 percent of all pupils in the select special education programs. Hispanic students make up 7 percent of national enrollment and 6 percent of the select special education programs. The proportions of Asian Americans and American Indians in the general enrollment and in special education programs appear equal.

Racial/ethnic data were also collected in the Fall 1976 Elementary and Secondary Schools Civil Rights Survey. The proportions of black, white, and Hispanic students did not change substantially from 1976 to 1978, nor did the proportions of these students participating in the selected special education programs. In 1976-77, for example, blacks comprised 15 percent of all students in elementary and secondary schools and 21 percent of students in the special education programs (the 1978 proportions were 16 percent and 21 percent respectively).

1/While we present national data, it should be noted that the summarized School District Civil Rights Data, 1978 prepared for OCR by Killalea Associates additionally provides regional and State data.

FIGURE 2.2

DISTRIBUTION OF CHILDREN ENROLLED IN ELEMENTARY AND SECONDARY SCHOOLS BY RACE-ETHNICITY AND DISTRIBUTION OF CHILDREN PARTICIPATING IN SELECTED EDUCATION PROGRAMS BY RACE-ETHNICITY DURING THE SCHOOL YEAR 1978-1979 (IN PERCENTS)[1,2]



[1] SOURCE: FALL 1978 ELEMENTARY AND SECONDARY SCHOOLS CIVIL RIGHTS SURVEY

[2] SELECTED SPECIAL EDUCATION PROGRAMS INCLUDED THOSE FOR THE EDUCABLE MENTALLY RETARDED, TRAINABLE MENTALLY RETARDED, SERIOUSLY EMOTIONALLY DISTURBED, SPECIFIC LEARN LEARNING DISABLED, AND SPEECH IMPAIRED.

We also compared the rates of participation in special education. As displayed in Table 2.3, the rates of participation in special education vary dramatically by racial/ethnic category. In 1978, 3.7 percent of all Asian American students were reported as participating in special education compared with 8.4 percent of all blacks. In other words, the rate of participation for blacks was over double that for Asian Americans. Rates of participation were similar for whites and Hispanics at 5.9 and 5.8 percent respectively but much higher for American Indians at 7.5 percent. As participation in special education programs increased from 1976-1978, all racial/ethnic categories reflected the increase. American Indians showed the largest increase in participation rate, Hispanics the smallest.

An assumption underlying these analyses is that the racial/ethnic proportions of students in special education programs should not differ from the racial/ethnic proportions of the general student enrollment. No study addressed the question of whether there are any etiological reasons for expecting different rates of handicapping conditions for different racial/ethnic groups. This is not in any sense to assert that genetic differences in "intelligence" may account for racial/ethnic imbalances in who gets special education or that cultural differences from a white "norm" justify special education placements. However, there is nonetheless a need to eliminate reasonable non-educational explanations for these findings. For example, put in a larger socio-economic context, it might be found that certain groups characterized by inadequate housing and poor health and nutrition have a relatively high rate of infant mortality and at-risk infants. We would then need to investigate what would be a reasonable rate of special education participation for these groups when compared to the norm.

While the Survey of Individualized Education Programs (IEPs) for Handicapped Children provides information on the racial/ethnic proportions of handicapped students, the Civil Rights Surveys are the stronger data source. The 1976 and 1978 Civil Rights Survey samples, unlike the IEP survey, provided a high percentage coverage of black pupils, Hispanic pupils, Asian American pupils, and American Indian pupils. For example, the 1976 Survey obtained 84 percent coverage of black students (with a percent standard deviation of 1.7 percent). 1/ We checked the racial/ethnic projections obtained by the 1978 Civil Rights Survey with a 1978

1/Memorandum from Donald Reisler, DBS Corporation, to Mr. George Walker concerning contract no. HEW-100-76-0199: Sampling Methodology for the 1978 Elementary and Secondary School Survey: December 14, 1977.

TABLE 2.3

RELATIVE RATE OF PARTICIPATION IN SPECIAL EDUCATION BY RACIAL/ETHNIC CATEGORY: 1976-77 and 1978-79 SCHOOL YEARS (IN PERCENTS)
(notes a, b, c)

	Racial/ethnic category				
Year	White	Black	Hispanic	American Indian	Asian American
1976	5.4	8.1	5.7	6.9	3.5
1978	5.9	8.4	5.8	7.5	3.7

a/Source: Fall 1976 Elementary and Secondary Schools Civil Rights Survey
Fall 1978 Elementary and Secondary Schools Civil Rights Survey

b/Special Education participation is limited to five programs: educable mentally retarded, trainable mentally retarded, seriously emotionally disturbed, learning disabled, and speech impaired.

c/The participation rates are expressed as a percentage of total enrollment of the racial/ethnic group in elementary and secondary schools.

Bureau of the Census survey of students. 1/ This survey projected a black student national school enrollment of 6,774,000 for students ages 5-17 compared with the Civil Rights Survey projection of an elementary and secondary school enrollment of 6,578,074. The Census survey also projected a 5-17 years Hispanic student national school enrollment of 2,890,000 compared with 2,825,229 projected by the Civil Rights survey. Given some differences in the two samples, the variations in student enrollment are minor and confidence can be placed in the OCR survey findings.

WHAT HANDICAPPING CONDITIONS DO THE CHILDREN HAVE?

OSE data show that three handicapping conditions accounted for 85 percent of the children receiving special education under Public Law 94-142 in school year 1980-81 as shown in Figure 2.3. The conditions were: learning disabled (36 percent), speech impaired (30 percent), and mentally retarded (19 percent). The next in frequency were the emotionally disturbed (8 percent); other categories were relatively low incidence conditions.

Handicapped children are defined by Public Law 94-142 as those children who are evaluated using specified procedures and who are found to be mentally retarded, hard-of-hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, orthopedically impaired, other health impaired, learning disabled, deaf-blind, or multi-handicapped, and need special education and related services.

The typical child receiving special education under Public Law 89-313 was mentally retarded (46 percent of the total handicapped) in school year 1980-81. 2/ Other relatively frequent handicapping conditions were emotionally disturbed (16 percent) and deaf and hard of hearing (11 percent).

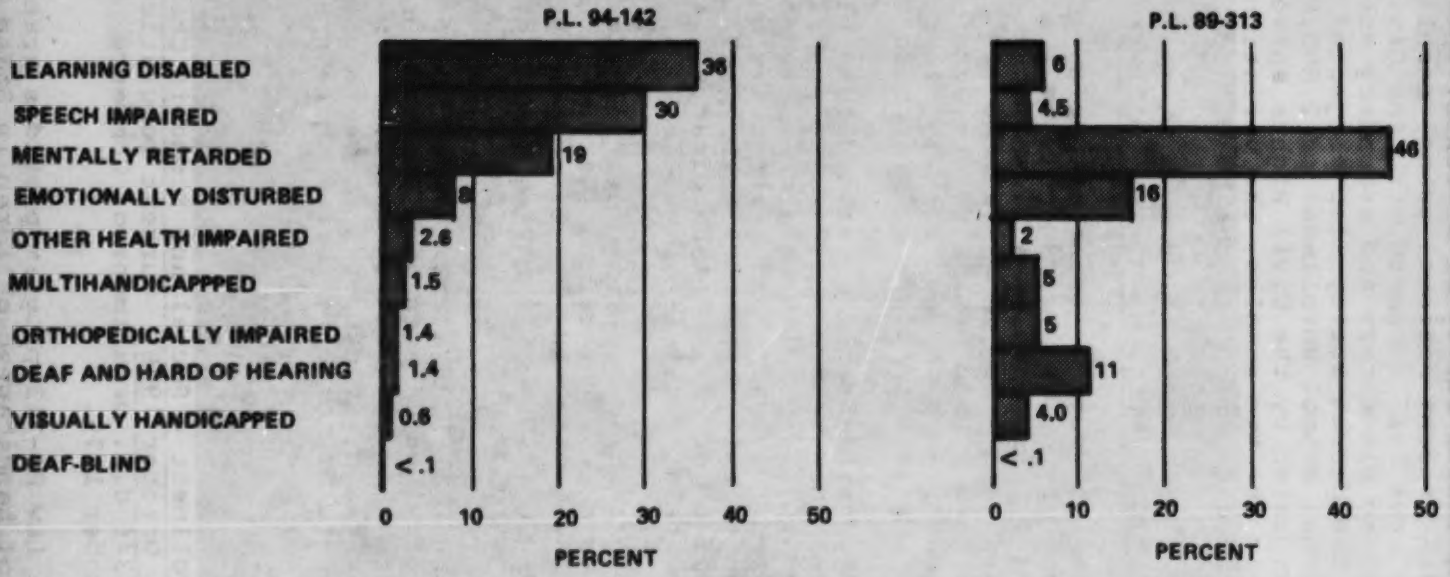
While the Fall 1978 Elementary and Secondary Civil Rights Survey also provides data on handicapping conditions, the Child Count data are the preferred source as a population count rather than a sample-based projection. Comments on the soundness of child count data do not differ from those presented earlier in this chapter.

1/School Enrollment - Social and Economic Characteristics of Students: October 1978. Current population Reports. Serves P-20, No. 346 U.S. Department of Commerce, Bureau of Census. Issued October 1979.

2/The Public Law 89-313 program provides grants for the special education of handicapped children in State operated or supported facilities such as institutions for the retarded.

FIGURE 2.3

DISTRIBUTION OF CHILDREN (AGES 3-21) SERVED BY HANDICAPPING CONDITION, SCHOOL YEAR 1980-1981 (IN PERCENTS)[1,2]



[1] FIGURES DO NOT INCLUDE THE VIRGIN ISLANDS OR TRUST TERRITORIES

[2] TOTALS DO NOT SUM TO 100 DUE TO ROUNDING

HOW SEVERELY HANDICAPPED ARE THE CHILDREN SERVED?

Currently, the National Survey of Individualized Education Programs is the only large and recent (1978-79 data collection) data source which addresses the severity of the handicapping conditions of children served under Public Law 94-142. 1/ The survey found that when classified by severity, 13 percent of the children served in LEA-administered schools have severe handicaps, 36 percent have moderate handicaps, and 51 percent have mild handicapping conditions. As shown in Figure 2.4, the picture varies by handicapping conditions, even among the three dominating categories of handicapping conditions. A very large proportion--86 percent--of the children categorized as mentally retarded have mild handicaps, whereas 55 percent of those speech impaired and 44 percent of those learning disabled were similarly characterized. Students with multiple conditions were perceived as having at least one moderate or severe handicap.

The data were obtained from a Student Characteristic Questionnaire which was completed by the special education teacher most familiar with the child's IEP. A specific item asked the teacher to indicate the nature of the student's disability and its severity--mild, moderate, or severe. For those students determined to be mentally retarded students, a mild disability was identified in the educable mentally retarded, a moderate disability with trainable mentally retarded, and a severe disability for the severely/profoundly retarded. Thus, an alternate statement of findings concerning the mentally retarded is that 86 percent of children ages 3 through 21 in LEA-administered schools who are being served as mentally retarded are educable mentally retarded.

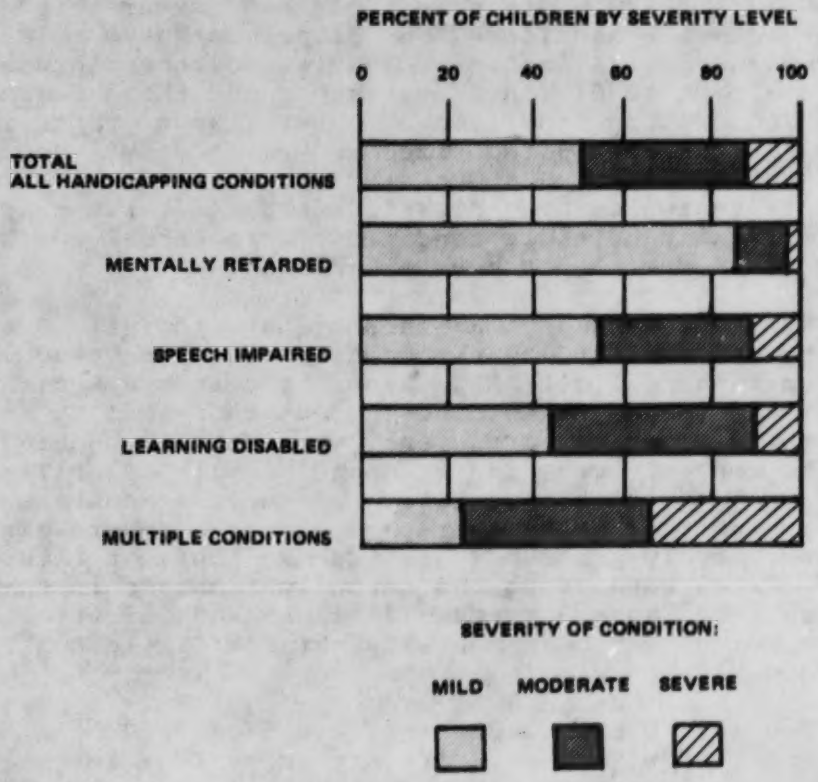
How much confidence can be put in these findings? The sampling errors associated with these data are quite low; for example, we can be 95 percent sure that the true population percentage with mild handicaps is within the 47.7 and 54.1 percent interval. Still, teacher judgments of the severity of handicapping conditions need to be carefully examined.

In using teacher judgments, reliability can be a problem because of different frames of reference that teachers may use. A regular class teacher, for example, may perceive a child's handicap as severe because the comparison group is the child's nonhandicapped classmates. However, a special education teacher may view a child as mildly handicapped compared with other handicapped children. In this survey some of this difficulty was reduced by using special education teachers.

1/See appendix I, pp. 96-97.

FIGURE 2.4

DISTRIBUTION OF STUDENTS (AGES 3-21) WITH IEPS SERVED IN LEA-ADMINISTERED SCHOOLS ON DECEMBER 1, 1978 BY SEVERITY OF HANDICAPPING CONDITION (IN PERCENTS)[1,2]



1
SOURCE: PYECHA, J. A NATIONAL SURVEY OF INDIVIDUALIZED EDUCATION PROGRAMS FOR HANDICAPPED CHILDREN. RESEARCH TRIANGLE PARK, N.C.: RESEARCH TRIANGLE INSTITUTE, OCTOBER 1980.

2
TOTAL INCLUDES CHILDREN WITH THE FOLLOWING CONDITIONS: MENTALLY RETARDED, LEARNING DISABLED, EMOTIONALLY DISTURBED, SPEECH IMPAIRED, DEAF AND HARD OF HEARING, VISUALLY HANDICAPPED, ORTHOPEDICALLY HANDICAPPED, OTHER HEALTH IMPAIRED AND MULTIPLE CONDITIONS.

We looked at the ratings obtained by the survey to get an indication of the reliability of these severity estimates. We assumed that these children, on the whole, would be more severely handicapped than those served in the public schools. In fact, when classified by their special education teachers, 58 percent of the students in State/special facilities had severe handicaps as compared with the 13 percent with severe handicaps in LEA-administered schools. Based on this finding, in addition to the overall soundness of the study and low standard errors, a moderately high degree of confidence is placed in the severity estimates.

SUMMARY

Nearly 4.2 million handicapped children were served during 1980-81; about 3.94 million were served under Public Law 94-142 and the others under Public Law 89-313 according to the OSE child counts. A typical child receiving special education in the public schools would be young (a preadolescent), male, and mildly handicapped. This "capsule" description reflects findings across several studies. Children provided special education services in public schools tend to be 12 years of age or younger (67 percent of the students served) and almost twice as many are males as are females. At 71 percent of the special education program participation, the majority are white; black students make up 16 percent of public school enrollment but 21 percent of the students in the four largest categories of handicapping conditions. These four categories are learning disabilities (36 percent of those served), speech impaired (30 percent), mentally retarded (19 percent), and emotionally disturbed (8 percent). When classified by severity of handicap, 13 percent of the children served in the public schools have severe handicaps, 36 percent have moderate handicaps, and the majority at 51 percent have mild handicapping conditions.

These data are drawn from the OSE child count (a population count) and two national surveys. While confidence is high in the distributions of handicapped children served in public schools by age, sex, race/ethnicity, handicapping condition, and severity of the handicapping condition, less confidence is placed in the accuracy of the number of children being served until data are verified. Comparing OSE child count data with OCR survey data is inconclusive. While the Public Law 94-142 child count exceeds OCR school level projections of handicapped children participating in special education programs by over 22 percent, differences in purpose, data collection methods, timing of the data collection, and reporting content and procedures could account for differences in the two efforts. In addition, the internal reliability of the OCR survey is suspect. The National Survey of IEPs suggests that there are a substantial number of handicapped children (400,000)

not served by or known to intermediate, cooperative, or local school districts, but known to States and not served under Public Law 89-313.

Our analysis suggests that verification of the Public Law 94-142 child count data would involve two major questions: (1) the extent to which school district data on the number of children receiving special education under Public Law 94-142 (or participating in special education programs) are accurate, and (2) the extent to which children provided special education through State agencies such as a Department of Corrections, or other sources, make up the difference between school district aggregate counts and State counts. On-site investigation is needed.

CHAPTER 3

ARE THERE ELIGIBLE CHILDREN WHO ARE UNSERVED OR UNDERSERVED?

Given the Public Law 94-142 mandate that a free appropriate public education be available to all handicapped children ages 3 to 18 by September 1, 1978, and ages 3 to 21 by September 1, 1980, there should be no handicapped children denied access to school (the unserved) or handicapped children in school denied access to special education (the underserved). Barring unusual circumstance, the proportions of handicapped children served should be relatively stable.

Our analysis indicates that few handicapped children not in school (the unserved) have not been identified. However, there does seem to be a substantial number of handicapped children in regular classrooms (the underserved) not receiving special education. It appears that preschool, secondary, and postsecondary handicapped children are underserved. Emotionally disturbed and migrant children are also underserved.

Further investigation is needed to determine if there are etiological reasons for various rates of participation across age groups; to review the birth to age 3 group; to examine special education students who drop out before graduation; to explain the low proportion of deaf and hearing impaired students; and to analyze the decline in the number of speech impaired students being served.

We investigated a number of subquestions:

What is the estimated number of eligible children?

Are any age groups underserved?

Does the number of children served decrease at school transition points?

Are migrant and other mobile children served?

Are any categories of handicapping conditions underrepresented?

What is the drop-out rate among handicapped children?

This chapter synthesizes the findings across studies for each subquestion, examines the confidence level for the findings, and identifies information gaps and inadequacies.

WHAT IS THE ESTIMATED NUMBER OF ELIGIBLE CHILDREN? HOW MANY ARE UNSERVED?

A convincing argument that all eligible handicapped children are being served under Public Law 94-142 cannot be made without knowing the estimated number of eligible children. In determining the number of eligible children, distinction must be made between incidence and prevalence. Prevalence refers to the number of children who currently require special education; incidence refers to the number of children that at some time in their school years, might require (or have required) special education (Meyen, 1978). The incidence number would be higher than the prevalence number.

OSE prevalence rates before Public Law 94-142 was enacted have been reviewed by us. 1/ OSE had estimated that about 6.7 million children ages 6-19 or about 12 percent of the public school-age population were handicapped and needed special education services. We determined that because of declines in school enrollments and other factors, the 12 percent prevalence estimate equals about 6.2 million children ages 5 to 17. Since 4.2 million children ages 3 through 21 were provided special education (either under Public Law 94-142 or Public Law 89-313) in school year 1980-81, the difference between this number and the OSE prevalence estimate means that at least 2 million children have not been provided access to special education.

Much has been done to determine the soundness of these OSE prevalence estimates. SRI Corporation compared OSE's 12 percent estimate with estimates from other sources which used different methods to establish a range of estimated rates. 2/ The proportion of school-age children in need of special education ranged from a low of 6.5 percent to a high of 13.65 percent. Thus, the implication is that the OSE estimate may be high. Our study concluded that the reliability of the data used as the basis for OSE's estimates was questionable.

The OCR 1978 Elementary and Secondary Schools Civil Rights Survey estimated the number of children that have been identified as requiring special education services and the proportion of these children actually receiving the services. Of the children in need, 98 percent were receiving special education according to the school district data. Only 2 percent were reported as needing special education but not receiving it. In another study, the Rand Corporation concluded, however, that States

---

1/See appendix I, pp. 110-111.

2/See appendix I, pp. 112-113.

often respond "pro forma" to the question of numbers of unserved children. 1/

In particular, since the first priority was to have been met by September 1978 for children ages 3-17, States uniformly indicated they had met priority one. The Rand study also found that privately States acknowledge that there is no way of knowing whether all handicapped children have been identified and served.

For handicapped children who are not in school (the unserved), the evidence indicates that few remain to be identified and served. Our study and the SRI Study of Public Law 94-142 implementation both concluded that State and local child find programs were finding few handicapped children not already in school. The SRI Study also concluded that the child find programs had become simply informational. Both studies examined Public Law 94-142 implementation in-depth across multiple States and LEAs. While confidence in the generality of the findings, taken together, is not sufficient to make numerical projections, it is sufficient to describe the overall status of Public Law 94-142 implementation within LEAs.

For the underserved--those in regular classrooms who may not have access to special education--the data are not as clear. The Inspector General's Service Delivery Assessment, the SRI Study of Local Implementation of Public Law 94-142, and our investigation concluded that there were eligible in-school children (in regular classes) who were not referred for special education and related services. No current estimates are available about the number of children that may be included in the group. Wide differences in the proportions of children that States serve as handicapped have been used, however, to argue that the number might be substantial. The Rand study did find that some States had set State specific priorities, such as increasing the number of secondary students served.

Using OSE 1980-81 data on the proportions of children ages 3-21 served as handicapped under Public Law 94-142, the States range from a low of 4.81 percent served (New Hampshire) to a high of 10.64 percent served (Utah). 2/ Table 3.1 displays the full range. Within States there is also evidence of large variance in the proportions of children local school districts serve as handicapped. Table 3.2 shows the distribution of the

---

1/See appendix I, pp. 102-103.

2/Expressed as a percentage of the population ages 5-17.

TABLE 3.1

DISTRIBUTION OF STATES BY PROPORTION OF CHILDREN AGES 3-21 SERVED IN SCHOOL YEAR 1980-81 (notes a, b)

Below-Average States		Average or Above-Average States	
New Hampshire	4.81	Idaho	8.05
New York	5.44	Ohio	8.07
Hawaii	5.61	Florida	8.21
North Dakota	6.10	Rhode Island	8.38
South Dakota	6.14	Virginia	8.40
Wisconsin	6.35	Kentucky	8.63
Michigan	6.74	Illinois	8.72
Montana	7.25	Texas	8.74
Washington	7.26	Vermont	8.77
Pennsylvania	7.37	Alabama	8.77
Indiana	7.45	Minnesota	8.78
Mississippi	7.53	Nebraska	8.82
Nevada	7.55	West Virginia	8.86
Alaska	7.57	Delaware	9.04
California	7.63	Georgia	9.20
Oregon	7.70	North Carolina	9.22
Colorado	7.70	New Jersey	9.34
Louisiana	7.86	Iowa	9.35
New Mexico	7.89	Missouri	9.38
Kansas	7.93	Arizona	9.41
		Connecticut	9.53
		Arkansas	9.64
		Maine	9.72
		Tennessee	9.79
		South Carolina	9.98
		Oklahoma	10.10
		Maryland	10.18
		Massachusetts	10.24
		Wyoming	10.31
		Utah	10.64

a/Expressed as a percentage of the 5-17 age population.

b/Includes children counted under Public Law 94-142 only.

TABLE 3.2

STUDENTS PARTICIPATING IN SPECIAL EDUCATION PROGRAMS AS A PERCENTAGE OF STUDENT ENROLLMENT IN SELECTED OHIO SCHOOL DISTRICTS IN 1980
(notes a, b)

Proportion of children participating in special education	Number of school districts	Percent of school districts
2.5 - 4.4	16	6
4.5 - 6.4	44	18
6.5 - 8.4	74	30
8.5 - 10.4	71	29
10.5 - 12.4	30	12
12.5 - 14.4	7	3
14.5 +	5	2

a/Source: Preliminary Data for Ohio from the fall 1980 Elementary and Secondary Schools Civil Rights Survey.

b/The low and high districts were not included in this analysis.

proportion of school enrollment provided special education in 1980 in 247 school districts in Ohio. 1/

In summary, no solid estimate is available of the number of eligible children who are not receiving special education and related services. While the number of children out-of-school and unserved appears to be small, the number of in-school children who may be eligible for, but not receiving, special education may be more substantial. There is no indication, however, that even this number would approach the 2 million "unserved" based on initial OSE estimates.

ARE CERTAIN AGE GROUPS UNDERSERVED?

This question asks whether the proportions of handicapped children who are provided special education services differ for different age groups and if any of the age groups can be considered underserved. The Public Law 94-142 Child Count data are limited to three age groups--3-5, 6-17, and 18-21. Given that States are not required to serve the 3-5 age group or the 18-21 age group where inconsistent with State law or practice or court order, it would not be surprising to find these groups comparatively underserved. Less than one-third of the States (16) reportedly mandate services for the full 3 through 5 year age range. An additional 22 States mandate services at age 4 or 5, and the remaining 12 States meet the minimal requirement of mandating services at age 6. About 30 States require services to handicapped students from the age of 18 either up to or including 21. 2/

Overall, the evidence indicates that the preschool and postsecondary groups are underserved compared with the 6-17 age population. Further, until at least school year 1979-80, school districts appear to have focused more on providing services to preschoolers than postsecondary handicapped students.

The child count data do, in fact, yield the expected picture. About 232,000 handicapped children age 3-5, or 2.59 percent of the estimated total 3-5 year old population, received special education under Public Law 94-142 in school year 1979-80 compared to an estimated 7.81 percent of the 6-17 year old population. In school year 1980-81, the number of handicapped children 3-5 years of age served under Public Law 94-142 increased to about 237,000 children. 3/

1/Proportions based on school enrollments will be higher than those based on population estimates.

2/See Education Department, [4], p. 25.

3/This figure does not include the Virgin Islands or Trust Territories.

This increase does not dramatically change the proportion of the estimated 3-5 year old population served.

In school year 1979-80, about 124,500 handicapped students age 18-21 received special education under Public Law 94-142--about 0.73 percent of the estimated 18-21 year old population. In school year 1980-81, this count increased by about 17,000 to a total of 141,000. 1/ The large increase may reflect the effective date (September 1, 1980) for providing services to students aged 18 to 21 (barring inconsistency with State law or practice or court order).

Case studies provided additional information about services to the preschool and postsecondary groups. The Inspector General's assessment found, for example, that many school officials viewed their responsibilities as serving only children between the ages of 6 and 18 and that many parents appeared unaware that younger and older children were eligible for special education services. 2/ The study does not make clear, however, whether State responsibilities were accurately or inaccurately reflected by the administrators and parents. During school year 1978-79, SRI International found very little focus on the postsecondary age group. Child find efforts generally ignored the 18-21 year old population and only one school district extended services to postsecondary youth (an action which seemed an outgrowth of a prior State plan). SRI could not determine if the lack of focus on the 18-21 year old group was because services were not required by Public Law 94-142 when the data were collected. While many districts increased the number of programs and services to accommodate additional preschoolers, the study also found that tradeoffs were being made. That is, if a district increased services to younger children, it had to choose not to increase services to another group. SRI found that no district had the funds to simultaneously expand services to both younger children and secondary school children.

The child count data do not permit a look at a group of particular interest--the secondary level student. In general, concerns have been expressed that there are fewer special education programs available at the secondary level and, therefore, fewer special education students. 3/ A number of sources have findings related to the topic. The largest data source is the

---

1/This figure does not include the Virgin Islands or Trust Territories.

2/See appendix I, pp. 93-94.

3/For example: See Meyen [7], p. 4; See Robinson and Robinson [10], p. 373; See Schmid, Moneypenney, and Johnston [11], p. 184.

National Survey of Individualized Education Programs. 1/ As previously illustrated in Table 2.2, the survey provides data on the distribution of children with IEPs in LEA-administered schools for each age from 3 years through 21 years old. These data can be placed in age-level groupings which correspond to school levels and compared with similarly organized general school enrollment data. Table 3.3 displays four broad age-level groupings which roughly correspond to preschool (ages 3-5), elementary (ages 6-12), middle/junior high (ages 13-15), and senior high school (ages 16-21) students. For each age-level grouping, comparisons can be made between the distribution of students receiving special education (with IEPs) and the distribution of students enrolled in regular school as determined from the October 1977 Current Population Survey.

The table shows that students--both handicapped and nonhandicapped--are not evenly distributed across age-levels; however, the proportions differ for the two groups. There appears to be both over and underrepresentation. The 3-5 year old or preschool group, the 13-15 year old or middle/junior high school group, and the 16-21 or senior high group are underrepresented in special education programs, but the 6-12 year old or elementary school group is overrepresented.

What degree of confidence can be placed in these findings? The estimates from the National Survey of IEPs (see p. 29) are on the low side for a count of 3-5 year olds receiving special education and high in relation to the number of 18-21 year old students receiving special education. In addition, general student enrollment estimates are based on a different sample and different school year. Case studies, however, support the trends identified and add weight to the findings. The SRI International Study of Local Implementation of Public Law 94-142 found that across districts, staff reported that certain groups were much less likely to be identified as handicapped, including learning disabled children at the high school level and children, particularly at the intermediate and secondary levels, with emotional problems but with nondisruptive behaviors. 2/ The Service Delivery Assessment by the Office of the Inspector General, a series of case studies, indicated that special education programs are weak at the junior high and high school levels--there are fewer programs and high school special education curricula need major improvements.

In all, confidence can be placed in the trends. While the precise proportions of handicapped and nonhandicapped students within each age-level grouping may vary somewhat from those presented, the general pattern should be the same.

1/See appendix I pp. 96-97.

2/See appendix I, pp. 96-97 and pp. 100-101.

TABLE 3.3

PROPORTION OF STUDENTS WITH IEPS SERVED IN LEA-ADMINISTERED SCHOOLS ON DECEMBER 1, 1978, BY AGE, COMPARED WITH THE PROPORTION OF STUDENTS ENROLLED IN GRADES PRESCHOOL-HIGH SCHOOL IN OCTOBER 1977, BY AGE
(notes a, b, c)

Age level	Total	Students enrolled in grades preschool-high school b/
3-5	4	10
6-12	63	49
13-15	20	24
16-21	13	16
Total	100	100 c/

a/Source: Pyecha, J., A National Survey of Individualized Education Programs for Handicapped Children. Research Triangle Park, N.C.: Research Triangle Institute, October 1980.

b/Source: Computed by the above-referenced source from population estimates presented in table 5 in School Enrollment--Social and Economic Characteristics of Students: October 1977. Current Population Reports, Series P-20, No. 333. Washington, D.C.: U.S. Department of Commerce, Bureau of the Census, February 1979.

c/Detail does not add to total because of rounding.

One additional age group has not been mentioned--children from birth through age 2. While States are required by Public Law 94-142 to adopt a goal and establish guidelines for providing full educational opportunity for all handicapped children, Public Law 94-142 does not mandate services to children in the birth through 2 age group. None of the reviewed studies address the topic of access to special education for this age group.

Additionally, no study questioned the assumption that handicapping conditions should be expected to distribute themselves evenly across the various age groups. There may be etiological reasons, for example, for different prevalence rates across age groups.

DOES THE NUMBER OF HANDICAPPED CHILDREN CHANGE AT SCHOOL TRANSITION POINTS?

This question asks whether there are changes in the proportions of students who are provided special education as students move from pre-school to elementary, from elementary school to middle or junior high school, and from middle or junior high to senior high school, and whether the proportions differ from those of non-handicapped students making the same transitions. Large decreases in the proportion of handicapped students provided special education at transition points without corresponding proportional decrease in the general student enrollment, would suggest that students are exiting from special education because appropriate programs do not exist for them. The issue, at a minimum, should be investigated.

Previous discussion of Table 3.3 indicated that the proportion of students receiving special education drops in the 13-15 year old or middle/junior high school group and again in the 16-21 year old or senior high group. These drops are not explained by general enrollment patterns; handicapped children are underrepresented in both groups. There is no way, however, to determine from the data if the decreases occurred at school transition points.

This question is being pursued, however, in the Study of Student Turnover Between Special and Regular Education. 1/ This study is analyzing information on handicapped students from computerized files and is examining the nature and extent of student transfers from special to regular education (and out of education altogether). Unfortunately no findings from this investigation are yet available. When available, generality of the findings will be quite low, however, given the small and select sample of LEAs with special education computerized information.

1/See appendix I, pp. 106-107.

ARE MIGRANT AND OTHER MOBILE HANDICAPPED CHILDREN SERVED?

Mobile handicapped children come from such subgroups as military dependents, adjudicated and incarcerated youth, foster children, and perhaps the largest subgroup, children of migratory farm workers and fishers. Little information was found about whether these subgroups have access to special education. For the most part, studies did not address the prevalence of handicaps among these subgroups or the extent to which they are routinely included in State and LEA child find efforts, identified as handicapped, and similarly identified as handicapped and provided services in the communities in which they spend time.

One exploratory study, Issues and Policy Options Related to the Education of Migrant and Other Mobile Handicapped Students, looked at data on migrant handicapped students within six States. 1/ The States included Florida, Texas, and California as homebase States and New York, Colorado, and Washington as receiving States. A higher prevalence of handicapping conditions within this subgroup was hypothesized based on such factors as periods of disrupted learning, lack of educational continuity, and poor health and nutrition during formative years. As shown in Table 3.4, half the States in the six State sample did not have any data on the number of handicapped migrant students identified. Findings from the three States that did have data indicated that handicapped migrant students are seriously underserved in Colorado and Washington. New York, the third State, reported that the migrant handicapped population closely approximated the State's figure of 5 percent handicapped, but it should be noted that New York's proportion of children served as handicapped is substantially below the national average (see Table 3.1, p. 44).

A second study, a Study of the Implementation of Public Law 94-142 for Handicapped Migrant Children, examined the educational histories of 153 migrant students who were identified as handicapped. 2/ The study found that the students were subsequently identified as needing special education and related services in 80 percent of their 295 school enrollments, either from an assessment conducted during the current enrollment or through student records that indicated the student had been previously identified. These results indicate that schools were not always consistent in identifying these migrant handicapped children. The sample is, however, too small to generalize to the handicapped migrant student population. In addition, the majority of students were trainable mentally retarded and/or

---

1/See appendix I, pp. 90-91.

2/See appendix I, pp. 104-105.

TABLE 3.4

NUMBER OF IDENTIFIED HANDICAPPED MIGRANT STUDENTS IN SELECTED STATES WITH MIGRANT POPULATIONS (note a)

State	Total migrant	Handicapped migrant	Percent
California	111,379	--	--
Colorado	3,750	8	0.2
Florida	48,306	--	--
New York	2,855	142	5.0
Texas	216,247	--	--
Washington	12,694	529	4.2

a/ Source: Issues and Policy Options Related to the Education of Migrant and other Mobile Handicapped Students. Prepared for OSE by the Council for Exceptional Children under Grant No. G007702411. November 1980, p. 25.

functionally disabled, and thus more likely to be identified as handicapped than children with milder handicapping conditions.

In sum, no study provided data on the extent that handicapped military dependents, adjudicated and incarcerated youth, and foster children have access to special education. Indeed, no estimates of the number of children in these subgroups that may be handicapped were found. Some exploratory investigation has been undertaken regarding migrant handicapped children. The findings suggest that migrant handicapped children do not have equal access to special education. A number of States investigated do not have data on handicapped migrant students, and in those with data, handicapped migrant students appear generally underserved. Further, when migrant handicapped students move, they are not always identified as handicapped by receiving schools.

Overall, more data are needed regarding national prevalence rates for handicapping conditions within these subgroups, State-by-State counts of the children served and unserved within the subgroups, and analysis of State policies and practices concerning the provision of special education and related services to handicapped children in these subgroups.

ARE ANY CATEGORIES OF HANDICAPPING CONDITIONS UNDERREPRESENTED?

To determine if any particular handicapping conditions are underrepresented across the States in counts of children served, estimates of expected prevalence rates are needed. The SRI Validation Study of State Counts of Handicapped Children developed such ranges for school children by major handicapping conditions. 1/ The estimates were derived from a variety of sources.

Methods used by the sources ranged from authoritative educated guesses to complex sample surveys. As such, these prevalence ranges can only be considered rough estimates. Table 3.5 compares the prevalence rates identified in the SRI study with the percent of children served in school year 1980.

Only two categories fall below the lower limit of the prevalence intervals--those of emotionally disturbed and hearing impaired. The proportion of children served as emotionally disturbed, while still below the prevalence interval, has been steadily increasing over the last few years, according to OSE data. There has been an 18 percent increase in the number served from 1978-79 (301,467) to 1980-81 (355,956). The increase has been steady and consistent--almost 10 percent from 1978 to 1979 and about 7.5 percent from 1979 to 1980 and about 7.5 percent from 1980 to 1981. All else remaining stable, the trend is expected to continue although perhaps at a slower rate.

The case for the hearing impaired differs. If the intertwining categories of deaf and hearing impaired are collapsed, the number of deaf and hard of hearing children served under Public Law 94-142 or Public Law 89-313 has declined from school year 1978-79 to school year 1980-81 by 4.6 percent or 3,975 children. Yet, over this same period, the total number of handicapped children served increased by 6.6 percent. The finding suggests that either many deaf and hard of hearing children are not being provided special education and related services or that, in this case, the lower limit of the prevalence interval is too high. Given that deaf and hard of hearing categories have been deemed relatively non-judgmental handicapping conditions, the latter explanation appears the most reasonable. Still, no information is available to suggest why the numbers of children served as deaf and hard of hearing are declining.

Another category, speech impaired, is at the lower limit of the prevalence interval. The number of speech impaired children served under Public Law 94-142 and Public Law 89-313

1/See appendix I, pp. 112-113.

TABLE 3.5

PERCENT OF CHILDREN AGES 3-21 SERVED BY HANDICAPPING CONDITION, SCHOOL YEAR 1980-81, COMPARED WITH ESTIMATED PREVALENCE RATES

Handicapping condition	Percent of children served (note a)	Range of estimated rates (note b)	
		Low	High
Mentally retarded	1.74	1.3	2.3
Hard of hearing	0.08	0.3	0.5
Deaf	0.08	0.075	0.19
Speech impaired	2.40	2.4	4.0
Visually handicapped	0.06	0.05	0.16
Emotionally disturbed	0.72	1.2	2.0
Orthopedically impaired	0.13	0.1	0.75
Other health impaired	0.21	0.1	0.75
Specific learning disabled	2.93	1.0	3.0
Total	8.35	6.525	13.65

a/These data include handicapped children counted under Public Law 94-142 and Public Law 89-313; handicapped children served ages 3-21 are shown as a percentage of the 5-17 age population. The data do not include the Virgin Islands or Trust Territories.

b/These data are national rates for school age (6-17) children. The estimates were taken from Validation of State Counts of Handicapped Children, a Stanford Research Institute report, September 1977, p. 32.

has declined by 3.4 percent from the 1978-79 to the 1980-81 school year or from 1,216,165 children to 1,174,781 children. If the trend continues, the proportion of children served as speech impaired in school year 1981-82 will drop below the prevalence interval. It is not immediately clear why the number of speech impaired children served is declining while the total number of handicapped children continues to increase. Further investigation is needed.

WHAT IS THE DROP-OUT RATE AMONG HANDICAPPED STUDENTS?

Very little information was found about the drop-out rates of handicapped students. A high drop-out rate among students who had been determined to need special education services would raise questions about access to special education, particularly at the secondary level.

Only one study, the SRI International Study of Student Turnover Between Special and Regular Education, touches this issue. 1/ The ethnographic component of the study (which was conducted in nine school districts in three States) investigated student drop-out from special education. Across the sites, the investigators were consistently told that the dropout rates from special education did not differ from those of regular education students. While this study is also examining computerized files maintained by each site on handicapped students, no findings from this component of the study are yet available.

In short, the basic question remains unanswered. The proportion of school drop-outs who have been identified as handicapped and provided special education services during their school career is not known. Limited evidence comparing the drop-out rates for special and regular education indicates that the rates may not differ. The data come, however, from a small number of school districts who had computerized information on handicapped students. Little confidence can be placed in the generality of these findings.

SUMMARY

No sound estimate was found of the number of children currently in need of special education services. The available evidence suggests that while there are not many children out of school (the unserved) who require special education services, there are yet a substantial number of children in regular classrooms (the underserved) who need special education but who have not been referred. It is important to note that some States

---

1/See appendix I, pp. 106-107.

have reportedly set their own State-specific priorities for meeting the needs of particular underserved groups of handicapped children. The evidence indicates that preschool, secondary, and postsecondary handicapped children are comparatively underserved groups, as are children who are emotionally disturbed. There is suspicion, but little evidence, that handicapped military dependents, adjudicated and incarcerated youth, and foster children are underserved. It is, however, clear that handicapped migrant students are an underserved population.

No study questioned the assumption that handicapping conditions should be expected to distribute themselves evenly across the various age groups. Investigation of etiological reasons for different rates across age groups was not found. Additionally, no study looked at the birth to age 3 group--their numbers and access to special education--or the older group of regular education students who drop out of school before graduation. Finally, there is the question as to the proportion of school drop-outs who have been identified as handicapped and provided special education at some point in their school career. Explanations are needed for the relatively low proportion of deaf and hearing impaired students served, and the declining proportion of children being served as speech impaired.

CHAPTER 4

ARE CERTAIN TYPES OF CHILDREN OVERREPRESENTED IN SPECIAL EDUCATION?

Chapter 2 investigated overrepresentation in special education classes by sex and by race/ethnicity. Males were overrepresented in special education classes and disproportionate numbers of black students were in special education programs. This chapter expands on these findings and investigates whether available data show overrepresentation of any category of handicapped condition, overrepresentation of minority children in special education by handicapping condition, and overrepresentation of children by handicapping condition and sex.

Data indicate that the proportion of children classified as learning disabled has risen dramatically. Our analysis also indicates that black students are overrepresented in the educable mentally retarded category, American Indians overrepresented in the learning disabled category, and Asian Americans overrepresented in the speech impaired category. Males are overrepresented in the emotionally disturbed and learning disabled categories. Further investigation is needed to explain the findings.

ARE ANY CATEGORIES OF HANDICAPPING CONDITIONS OVERREPRESENTED?

To determine if any particular handicapping conditions are overrepresented across the States, we looked at the national estimates of expected prevalence rates presented in Table 3.5 which were compiled for OSE by The Stanford Research Institute. 1/ As previously mentioned, these prevalence rates were derived from sources which used methods ranging from authoritative educational guesses to complex sample surveys. Therefore, they must be considered rough estimates.

As shown in Table 3.5, no handicapping condition exceeds the upper limit of the prevalence range for the proportion of children served, but the nearly 3 percent of children served as learning disabled were at the upper limit for this category in school year 1980-81. The learning disabled category experienced a tremendous growth rate of 48 percent or 465,311 children from the 1977-78 school year to the 1980-81 school year. This growth has been relatively stable across each year.

1/See appendix I, pp. 112-113.

School year	Number served as learning disabled (note a)	Percent change in the number served from the previous school year
1980-81	b/1,434,679	12
1979-80	1,281,379	13
1978-79	1,135,559	17
1977-78	969,368	--

a/Includes children ages 3-21 counted under Public Law 94-142 and Public Law 89-313.

b/This figure does not include counts from the Virgin Islands or Trust Territories.

In school year 1980-81, the number of learning disabled children served increased in 48 States (2 States decreased). Thus, the total increase cannot be attributed to a relatively few number of States; 36 States increased the number of learning disabled children served by 5 percent or more; 15 of these increased by 15 percent or more.

The growth in the learning disabilities category is also illustrated by the proportion of handicapped children served by States. In six States, learning disabled children now comprise over 50 percent of all handicapped students served. In an additional 12 States, they comprise over 40 percent of all handicapped children served.

Trends in the data indicate that, all else remaining stable, the number of learning disabled children is likely to continue to increase. It is noted that the 3 percent upper limit on the prevalence interval for learning disabilities was selected by the SRI researchers as a cut-off score. Estimates were as high as 26 percent of the school-age population and prevalence rates in the 5-7 percent range were frequent. Because of the controversy in the field and the lack of empirical evidence to support these high rates, SRI decided to maintain 3 percent as the high end of the range. However, the 3 percent upper limit is artificial.

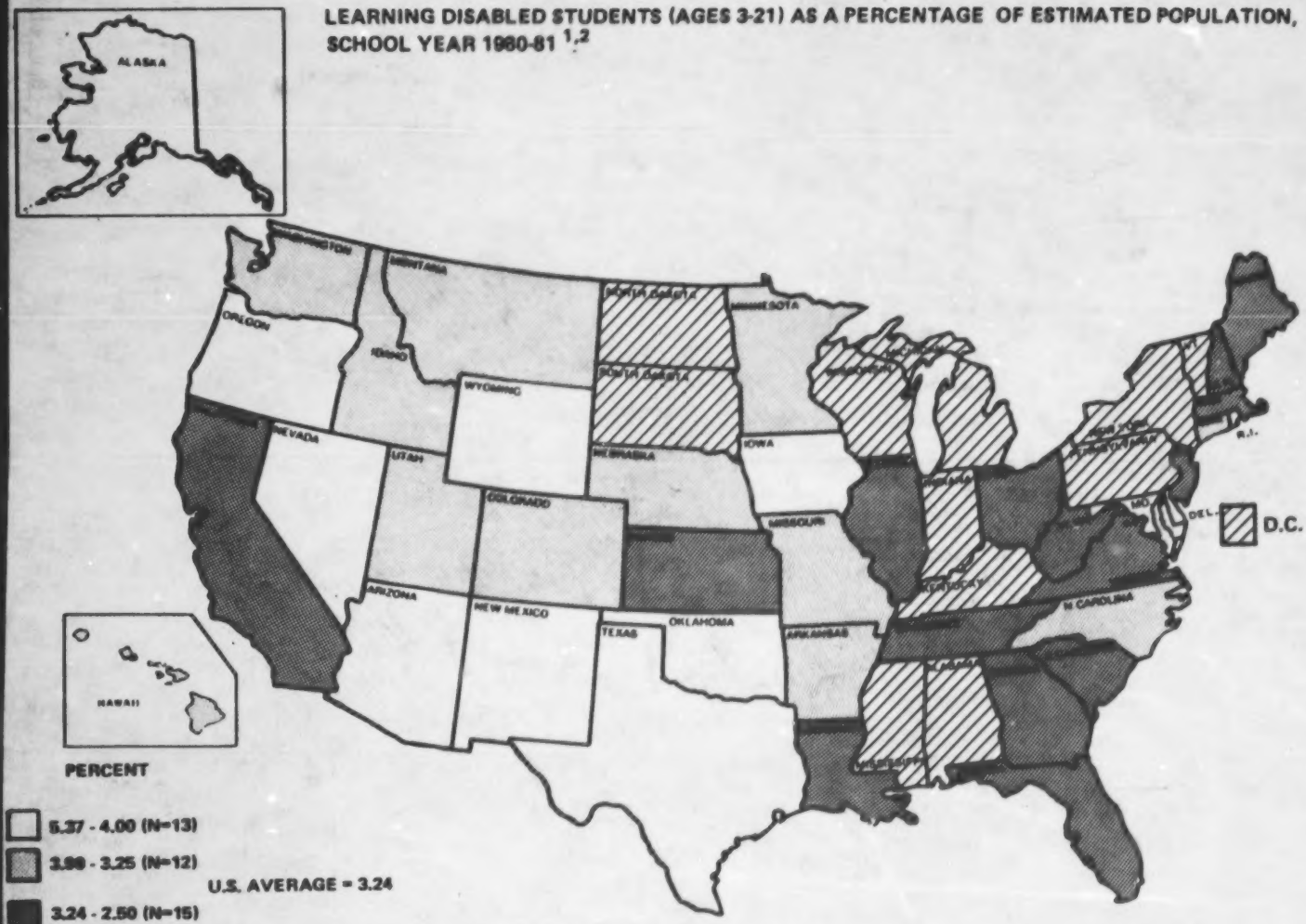
The number of children served as learning disabled was found in the SRI study of local Public Law 94-142 implementation to increase across sites relative to the number of children served as mentally retarded. 1/ The learning disabilities classification was preferred in part because there was less stigma attached

---

1/See appendix I, pp. 92-95.

FIGURE 4.1

LEARNING DISABLED STUDENTS (AGES 3-21) AS A PERCENTAGE OF ESTIMATED POPULATION, SCHOOL YEAR 1980-81 [1,2]

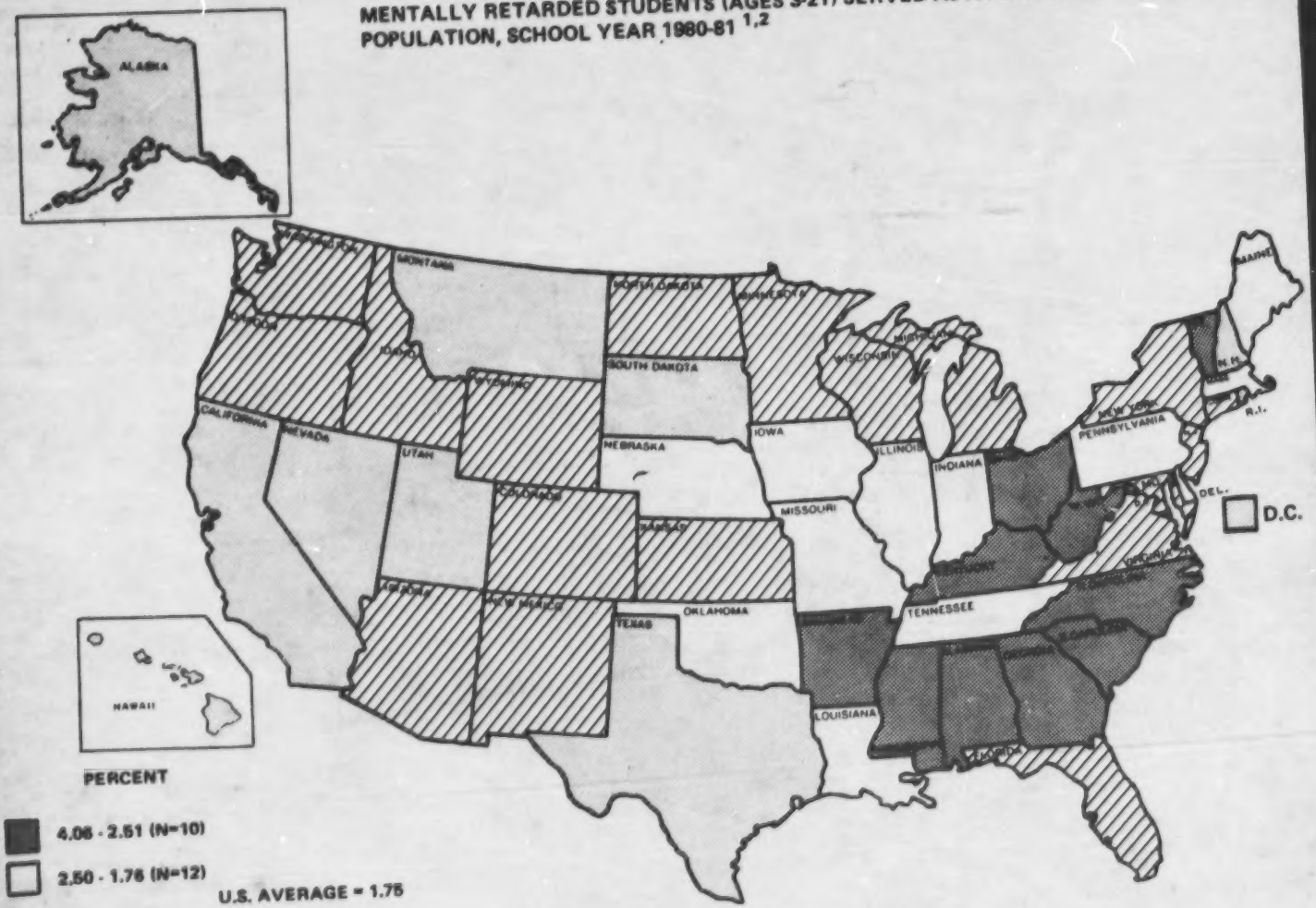


1 INCLUDES CHILDREN COUNTED BY P.L. 89-313 AND P.L. 94-142

2 PERCENTAGES BASED ON THE ESTIMATED 5-17 AGE POPULATION

FIGURE 4.2

MENTALLY RETARDED STUDENTS (AGES 3-21) SERVED AS A PERCENTAGE OF ESTIMATED POPULATION, SCHOOL YEAR 1980-81 [1,2]



PERCENT

- 4.06 - 2.51 (N=10)
- 2.50 - 1.76 (N=12)
- 1.75 - 1.00 (N=18)
- 0.99 - 0.01 (N=11)

U.S. AVERAGE = 1.75

1 INCLUDES CHILDREN COUNTED BY P.L. 89-313 AND P.L. 94-142

2 PERCENTAGES BASED ON THE ESTIMATED 5-17 AGE POPULATION

to that label. The OSE child count data do show that 45 States decreased the number of mentally retarded children served from school year 1979-80 to school year 1980-81. From the 1977-78 school year to the 1980-81 school year, the number of mentally retarded children provided special education services has declined 10 percent. Decreases have occurred each year.

School year	Number served as mentally retarded	Percent change in the number served from the previous school year
1980-81	851,182	-3.5
1979-80	882,173	-3.9
1978-79	917,880	-2.9
1977-78	944,909	--

The child count data cannot, on the other hand, provide any information to confirm or invalidate the SRI suggestion that children who might in the past have been identified as mentally retarded are now being identified as learning disabled. A more in-depth investigation of this issue is indicated.

ARE MINORITY CHILDREN OVERREPRESENTED BY HANDICAPPING CONDITION?

Two data sources are available for examining the proportion of children receiving special education by ethnic/racial background and handicapping condition. These sources are the OCR 1976 and 1978 Elementary and Secondary School Civil Rights Surveys and the 1978 Survey of Individualized Education Programs (IEPs). The preferred information source is the 1978 or 1976 civil rights survey. One factor for selecting the OCR survey samples was high coverage of minority groups to enable sound projections to minority group students. This was not an intent behind selection of the national sample for the IEP Survey and the small sample, in this case, provides some difficulty with small cells. For example, the sample included less than 25 emotionally disturbed children who were black. Projections from such a small sample are unreliable.

As displayed in Table 4.1, the 1978 OCR data show overrepresentation of minority children in some categories when compared with the white majority and underrepresentation in other categories. This varies by ethnic/racial group.

Black special education students are clearly overrepresented in programs for the educable mentally retarded. Over 40 percent of these students are in educable mentally retarded programs. They are also the top proportion (6 percent) participating in

TABLE 4.1

DISTRIBUTION OF CHILDREN RECEIVING SPECIAL EDUCATION BY NATURE OF HANDICAPPING CONDITION AND RACE/ETHNICITY, SCHOOL YEARS 1978-79 and 1976-77 (IN PERCENTS)
(notes a, b, c, d)

School year 1978-79	RACE/ETHNICITY				
Handicapping condition	American Indian	Asian American	Black	White	Hispanic
Educable mentally retarded	22.6 b/	10.0	41.0	18.1	16.7
Trainable mentally retarded	3.0	4.1	4.7	3.3	4.0
Emotionally disturbed	4.4	2.7	6.0	5.0	5.0
Learning disabled	46.0	34.0	26.3	39.2	44.0
Speech impaired	24.0	49.3	22.1	34.5	30.2
Totals c/	100.0	100.1	100.1	100.1	99.9

School year 1976-77 d/	RACE/ETHNICITY				
Handicapping condition	American Indian	Asian American	Black	White	Hispanic
Educable mentally retarded	25.7	11.3	45.7	20.6	19.7
Trainable mentally retarded	3.1	4.3	4.8	3.4	4.1
Emotionally disturbed	4.2	2.2	5.2	4.7	4.4
Learning disabled	46.0	28.0	23.0	37.8	40.7
Speech impaired	21.1	54.2	21.3	33.5	31.1
Totals c/	100.1	100.0	100.0	100.0	100.0

a/Source: Fall 1978 and Fall 1976 Elementary and Secondary School Civil Rights Surveys.

b/Interpret as 22.6 percent of all American Indian students who were in special education in school year 1978-79 were in an educable mentally retarded program.

c/Totals may not sum to 100 due to rounding.

d/Analysis is limited to the five handicapping conditions presented.

programs for the emotionally disturbed and the trainable mentally retarded (4.7 percent). In contrast, these students have the lowest proportional representation in learning disabled and speech impaired programs of any of the racial/ethnic groups.

The proportions of Hispanic special education students in specific programs are similar to those of the white special education students. When compared with white children, Hispanic children appear slightly underrepresented in the educable mentally retarded and speech impaired programs.

A smaller proportion of American Indian children receive special education in programs for the trainable mentally retarded than any other racial/ethnic group. On the other hand, the proportion of special education American Indian students participating in learning disabled classes is greater than for any other racial/ethnic group.

Asian American special education students are overrepresented in programs for the speech impaired. Almost 50 percent of these students are in speech impaired programs. In contrast, this group has the lowest proportions of special education students of any racial/ethnic group participating in programs for the educable mentally retarded and for the emotionally disturbed.

Changes in the data from 1976-77 to 1978-79 are slight. Most, however, are in the direction of more proportional representation of the racial/ethnic group among the various programs.

As has been stated before, the data do not explain the findings. There might be, for example, etiological reasons for the finding that 50 percent of Asian Americans in special education are in speech impaired programs. In contrast, the finding might reflect teacher and/or administrator bias concerning Asian Americans. Another of many explanations may be that the children in this category are Indo-Chinese who are labeled speech impaired to provide language help.

IS THERE OVERREPRESENTATION BY SEX AND HANDICAPPING CONDITION?

Information on children receiving special education by both sex and handicapping condition is provided by the Elementary and Secondary Schools Civil Rights Survey and the National Survey of Individualized Education Programs (IEPs) for Handicapped Children. 1/ While the two surveys differ somewhat in sample selection, procedures, and size, there should be overall consistency in their findings.

1/See appendix I, pp. 115-117 and pp. 96-97.

TABLE 4.2

DISTRIBUTION OF STUDENTS BY NATURE OF HANDICAPPING CONDITION AND SEX

	Proportion of males	Proportion of females	Ratio of male to female participants
Fall 1978 elementary and secondary school civil rights survey			
Students not participating in special education	51	49	1.00:1
Educable mentally retarded	59	41	1.46:1
Trainable mentally retarded	57	43	1.32:1
Emotionally disturbed	76	24	3.16:1
Learning disabled	72	28	2.55:1
Speech impaired	62	38	1.65:1
Fall 1976 elementary and secondary school civil rights survey			
Students not participating in special education	51	49	1.00:1
Educable mentally retarded	61	38	1.61:1
Trainable mentally retarded	55	42	1.32:1
Emotionally disturbed	71	21	3.35:1
Learning disabled	72	28	2.60:1
Speech impaired	62	37	1.67:1
1978 National survey of children with individualized education programs			
Mentally retarded	57	43	-
Emotionally disturbed	79	21	-
Learning disabled	71	29	-
Speech impaired	60	40	-

As shown in Table 4.2, while males are generally overrepresented in special education programs, this overrepresentation varies by handicapping condition. Among the categories, overrepresentation of males is most severe in programs for the seriously emotionally disturbed. Males are over three times as likely to be found in these programs as are females. The learning disabilities category is also heavily overrepresented by males at a rate of about two and a half males for every female. The disproportionate rates of participation by sex and handicapping condition have remained generally stable from 1976 to 1978. The findings from the Survey of IEPs are generally consistent with those from the Civil Rights Survey and the standard errors associated with the IEP Survey data are relatively small. In all, a high degree of confidence can be placed in the data.

Again, no explanations for the findings are offered. The handicapping conditions presented are those thought by OCR to be judgmental; that is, the judgment of administrators and teachers plays a large role in assigning students to these categories. It might be that overrepresentation by sex and handicapping condition is a result of teacher/administrator bias related to perception of normal and appropriate behavior for females versus males. Alternatively, there may be etiological explanations for the imbalances.

SUMMARY

OSE data indicate that the proportion of children classified as learning disabled has been climbing dramatically each year since the effective date of Public Law 94-142 implementation. Learning disabled children now make up about 3 percent of the 5-17 year population and there are indications that the proportion is still climbing. Concomitant with the increase in this category is a decrease in the proportion of children served as mentally retarded. A major unanswered question concerns the types of children who are being labeled as learning disabled.

The distributions of children in special education classes by race/ethnicity and handicapping condition also raise questions which, at least in terms of the reviewed studies, do not now have clear answers. When the proportion of students by racial/ethnic category is examined by handicapping condition, black students are overrepresented in classes for the educable mentally retarded, American Indians appear overrepresented in learning disabled programs, and Asian Americans seem overrepresented in speech impaired programs. Empirically based explanations for these findings were lacking.

The evidence reviewed is strong that males are overrepresented in special education by handicapping condition. The most severe overrepresentation is in the emotionally disturbed category. Males are also heavily overrepresented in learning

disabilities programs. Again, there are many hypotheses but little data to explain these findings.

CHAPTER 5

WHAT FACTORS INFLUENCE WHO GETS SPECIAL EDUCATION?

Previous chapters discussed factors such as a child's sex, age, race, and type of handicapping condition which influence access to special education services. Additional factors are the particular State and locality in which the child lives. This chapter focuses on findings that attempt to explain why some children are more likely than others to get special education.

Data indicate that access to special education can be affected by bias in the referral and assessment procedures, variability in State definitions of handicapped and related eligibility criteria, and the resources available in a school district. Data on the effect of multi-eligibility for Federal programs are not conclusive.

Specific subquestions are:

Is there bias in child referral and assessment procedures?

Do differences in State definitions of handicapping conditions have impact?

Do school district resources have an impact on access to special education?

To what extent do ESEAs title I and title VII and Public Law 94-142 overlap?

We addressed these subquestions to help explain why access to special education varies.

IS THERE BIAS IN CHILD REFERRAL AND ASSESSMENT PROCEDURES?

Two series of case studies, the SRI International and the Education Turnkey, yielded findings related to bias in child referral and assessment practices. 1/ We place high confidence in the non-quantified findings of the SRI study and moderate confidence in the findings of the Education Turnkey study.

The SRI study found a number of factors which affect whether or not a child is referred to special education. These factors

---

1/See appendix I, pp. 86-87 and 92-95.

include eligibility criteria (discussed in the next section), program availability and timeliness, and the personal discretion of teachers and parents. Program availability, timeliness, and teaching discretion are interrelated. That is, backlogs of children waiting for an opening in a program, or waiting to be evaluated, have discouraged teachers from making further referrals, given that the primary reason for such waiting lists was a shortage of available services and placements.

Personal discretion of teachers and parent actions were otherwise identified as factors that affect referral. Some teachers were likely, for example, to refer only those children who presented serious discipline problems, while others would make judgments that mildly handicapped children should be served by compensatory education programs, not special education. Some teachers were influenced more than others by parental pressures. In fact, the Turnkey study found that in suburban districts in particular, regular education teachers were hesitant to refer a child because they felt they would bear the brunt of parental hostility. The SRI study pointed out that although the majority of referrals originated with regular teachers, training for this function does not exist in the States studied.

Group decisionmaking and prereferral screening were also viewed by the SRI study as a growing trend. These practices were believed to reduce bias in determining who gets special education. Decisions were likely to be less idiosyncratic and based on more appropriate information. Prereferral screening was justified on the grounds that it reduces the possibility of erroneous classification at referral. These procedures were also found, however, to extend the gap between initial identification of a child's needs and placement; prereferrals also can be used to limit the number of children to those who can be accommodated with existing programs. Additionally, both the SRI and Turnkey studies found that, increasingly, formal evaluations used a variety of assessment materials, involved a variety of staff, and tailored the assessment to the individual child.

WHAT IMPACT DO DIFFERENCES IN STATE DEFINITIONS OF HANDICAPPING CONDITIONS HAVE?

Eligibility for special education programs is generally defined by State law and SEA regulations; however, Public Law 94-142 defines eligible categories of handicapped children for Federal funding. Thus, for example, a State may determine that "slow learners" are eligible for special education, but such children would not be eligible for Public Law 94-142 funds. Public Law 94-142 also defines each category of handicap. The issues addressed are: (1) the consistency between children defined as eligible for special education by Public Law 94-142 and similar policies within the States, (2) the variability among States in defining particular handicapping categories, and (3) within-State variation in eligibility criteria.

Many studies address one or more of these issues. In particular, the Council for Exceptional Children's Analysis of Categorical Definitions focused on the relationship between State definitions of handicapping conditions and the Federal definitions. 1/ The study found that the definitions in effect in July 1977 varied both in the categories used to classify children and the specific criteria and procedures used to define and determine a handicap. For example, according to Public Law 94-142, "mentally retarded" means significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the development period, which adversely affects a child's education performance. A total of 14 States were found to have a consistent definition, 4 States had no definition, and 32 States had definitions not consistent with the Public Law 94-142 definition. For example, Massachusetts, one State with no definition, has a non-categorical definition of handicapped children.

The variance was not only with Public Law 94-142, but also among the States. For example, the study found that a common State practice is to use a specific decibel loss as the eligibility criterion for deaf/hearing impaired programs. However, the range of decibel loss required for program entry varied from 20 decibels in Colorado to 40 decibels in New York and the District of Columbia. As a result, New York and the District of Columbia would likely serve proportionately less children in this category.

Review of the study indicated that it was technically sound. However, its reliance on July 1977 State policies raises the possibility that States may have changed their policies to make them consistent with Public Law 94-142 since this study was conducted. The fact that three more recent studies have echoed and amplified the findings does, however, increase confidence in the overall findings.

For example, the Inspector General for DHEW reported in May 1979 that diagnostic practices and definitions of handicapping conditions vary widely within and among States and can lead to both the under- or over-identification of children within a school district. 2/ The study found that children classified as handicapped in one district may be regarded as "behavior problems" in another. Some districts with high educational standards reportedly identified children who would not even be considered to have learning problems in other districts. Additionally, in our February 1980 report, we determined that while some States

---

1/See appendix I, pp. 82-83.

2/See appendix I, pp. 100-101.

were using the "adverse effect on educational performance" criterion in determining the eligibility of speech-impaired children, many were not. 1/ This variability led to variability in State rates of speech impaired children served.

During the 1978-79 school year, the SRI International Study of Local Implementation of Public Law 94-142 also found that eligibility criteria vary considerably from one State to another. 2/ The study reported that the eligibility criteria varied both in the ambiguity of the definitions for particular handicapping categories (which permits a certain amount of interpretive discretion at the local level) and in the comprehensiveness of the criteria (i.e., the size of the cracks between the categories). The study also found considerable within-State variation in who is served, especially in States with eligibility criteria allowing considerable discretion. Thus, whether or not a child was identified as in need of special education and related services might depend on the child's State of residence.

A final indication of possible variance in State definitions of handicapped children is provided by the Public Law 94-142 child count data. 3/ Within each handicapping condition, review of outliers in the proportion of children served--those that are unexpectedly high as well as those that are low--suggests that outlier States may be defining the handicapping condition or eligibility criteria very differently. Table 5.1 shows, for selected handicapping conditions, States whose definitions and eligibility criteria might be compared with each other's and with the Public Law 94-142 definition. For example, the proportion of children (based on State resident population) served as mentally retarded ranges from lows of 0.49 and 0.60 percent in Alaska and Rhode Island, respectively, to highs of 3.62 percent in South Carolina and 4.14 percent in Alabama. These findings suggest that Alaska and Rhode Island may be using a different definition of mental retardation than Alabama and South Carolina. The proportion of children identified as emotionally disturbed varies from 0.08 percent in Arkansas to 3.09 percent in Utah. Again, very different definitions of eligibility criteria may be used by these States.

In summary, there is little question but that State definitions of handicapping conditions and related eligibility criteria

---

1/"Unanswered Questions on Educating Handicapped Children in Local Public Schools," A report to the Congress from the Comptroller General, appendix I, pp. 110-111.

2/See appendix I, pp. 92-95.

3/See appendix I, p. 114.

TABLE 5.1

EXTREME CHILD COUNT VALUES FOR STUDENTS AGES 6-17 SERVED UNDER PUBLIC LAW 94-142 DURING SCHOOL YEAR 1979-80 (IN PERCENTS) (notes a, b, c, d)

Handicapping condition	Percent served b/,c/ Highest 5 States		Lowest 5 States	
Mentally retarded	Alabama	4.14	Alaska	0.49
	Arkansas	3.03	New Hampshire	0.61
	Mississippi	3.04	Oregon	0.55
	North Carolina	3.34	Rhode Island	0.60
	South Carolina	3.62	South Dakota	0.63
Speech impaired	Indiana	3.90	Delaware	1.24
	Kentucky	2.91	Hawaii	0.65
	Massachusetts	3.01	New Hampshire	0.67
	Missouri	2.97	New York	1.09
	New Jersey	3.79	Wisconsin	1.15
Learning disabled	Alaska	4.75	Indiana	1.49
	Arizona	4.42	Mississippi	1.45
	Delaware	4.75	New York	0.83
	Maryland	5.20	Pennsylvania	1.85
	Wyoming	5.04	South Dakota	1.65
Emotionally disturbed	Connecticut	1.66	Arkansas	0.08
	Delaware	1.79	Hawaii	0.14
	Maine	1.37	Indiana	0.14
	Massachusetts	1.76	Mississippi	0.04
	Utah	3.09	Oklahoma	0.09
Other health impaired	California	0.79	Colorado	0.00 d/
	Maryland	0.19	Delaware	0.00
	Massachusetts	0.41	Florida	0.00
	Minnesota	0.19	Iowa	0.00
	New York	0.91	Michigan	0.00

a/Source: State Profiles prepared by Applied Urbanetics Policy Research for the Office of Special Education (Contract No. 300-78-0467), June 4, 1980.

b/Percents served are based on each State's estimated resident population for July 1980.

c/The analysis includes only the 50 States.

d/A total of nine States had a 0.00 percent served for the Other Health Impaired condition. Five were listed in alphabetical order. The others are Mississippi, Nebraska, Ohio, and Oregon.

influence who gets special education. Still, answers are lacking to more precise questions about the nature and extent of the problem. First, there is a lack of information on the consistency between children defined as eligible for special education by Public Law 94-142 and State policies currently in effect (as opposed to 1977). For example, we do not know if 30 States still have definitions of mental retardation which are inconsistent with those of Public Law 94-142. We also do not know if Massachusetts began a trend by switching from a categorical system of definitions to a system based on educational needs. Finally, we do not know how many States include categories of handicapping conditions not recognized by Public Law 94-142 and what these handicapping conditions are. Second, there is little information concerning the impact of variability among States in definitions or eligibility criteria for a handicapping category. In other words, we need to know the variation across States in defining a particular handicapping condition and/or its eligibility criteria and to have illustrated what this would mean for a particular child with the handicapping condition. Third, the nature and extent of variability of eligibility criteria and its impact need to be investigated.

WHAT IMPACT DO SCHOOL DISTRICT RESOURCES HAVE ON ACCESS TO SPECIAL EDUCATION?

The resources of a school district affect access to special education. The data show that some children are excluded from special education because not enough programs are available. Further, LEAs have to limit their programs because of a shortage of funds.

The question of the impact of resources on who gets special education is treated by three sources--the SRI International Study of Local Implementation of Public Law 94-142, the Inspector General's Service Delivery Assessment, and our investigation of Public Law 94-142 implementation. 1/ The SRI study concluded that the most obvious obstacle for serving all handicapped children is limited resources for special education. LEAs studied ranged from those directly providing only self-contained classes for mildly and moderately mentally retarded children, resource rooms for learning disabled children, and itinerant speech therapists for children with communication problems, to comparatively resource-rich LEAs which provide a variety of services to severely and profoundly retarded, blind, deaf, orthopedically impaired, emotionally disturbed, or mildly learning handicapped children. All districts in the study were found, however, to have some program limits in relation to the need for services. In meeting the Federal mandate to serve all children needing

---

1/See appendix I, pp. 92-95.

special education, staff were influenced by the kinds of programs directly provided by the LEA, what could be obtained from others, and the number of "slots" open in these programs. Efforts to seek out unserved handicapped children rarely were launched except when a new program or class was opened. Program limits resulted in all sites having backlogs of children waiting for evaluation, for placement, or both. While during the 1978-79 school year, all districts either increased existing services or expanded options by adding a new program, the expansion of services proceeded piecemeal, not on schedule with the full service mandate of Public Law 94-142.

These findings were echoed in the Inspector General's Service Delivery Assessment of Public Law 94-142. School districts with more special education staff, facilities, and services identified more children needing special help than did other school districts. Further, interviews conducted with 1,000 persons in 24 LEAs in six States identified inadequate resources as a major problem in meeting the requirements of the law. Funding for special education, which is still based primarily on local and State taxes, was viewed as particularly unstable.

Our recent study also found similar results. Officials in 16 of 21 LEAs studied said that they would not be able to provide an appropriate education to all their handicapped children until at least 3 to 6 years beyond 1978 (Public Law 94-142 requires that an appropriate education be provided to all handicapped children aged 3 to 18 by September 1, 1978). The most commonly cited reason for the expected delay was a shortage of funds for personnel, space, supplies, and other services. Some LEAs had handicapped children on waiting lists (an access problem), while others provided only a portion of the services that their handicapped children needed (an appropriateness problem).

In sum, a considerable amount of evidence from three large case studies indicates that school district resources impact on access to special education. While the studies vary in the detail provided regarding study design and procedures and therefore in the apparent soundness of methodology, the overall weight of the evidence is sufficient to establish confidence in the findings. In addition, review of the SRI study concluded that the generality of the data was sufficient in explaining some of the factors that influence implementation of Public Law 94-142 at the local level. In all, it is clear that program limits exclude children from access to special education and that program limits stem from a shortage of funds for personnel, space, supplies, and other services.

WHAT IS THE OVERLAP BETWEEN ESEA TITLE I AND PUBLIC LAW 94-142? BETWEEN ESEA TITLE VII AND PUBLIC LAW 94-142?

The issue of overlap between ESEA title I which serves the educationally disadvantaged, ESEA title VII which serves the limited-English-proficient school population, and Public Law 94-142 is important because students who are identified as handicapped and also are eligible for title I or title VII services do not necessarily receive both services. In other words, these children may receive services and be counted under the title I or VII programs rather than Public Law 94-142. Such a situation might limit the services that a student might be eligible to receive and, in the context of this report, help explain factors related to who gets special education and who does not. Two studies focus specifically on this topic: The Case Studies of Overlap Between Title I and Public Law 94-142 Services for Handicapped Students, conducted by SRI International, and the National Center for Education Statistics' Fast Response Survey of School Districts Participating in Multiple Federal Programs. 1/

With respect to overlap between title I and Public Law 94-142, the SRI case studies found that duplicate services were not a major problem, but that limited services were a problem. Few children received both services and in these cases, the services were found to be complementary. Some dually identified students were, however, excluded from title I services. The study also suggests that many students with undiagnosed mild handicaps may be receiving services only through title I programs, but no evidence is offered in support of this hypothesis (the study focused on students who had already been identified as handicapped and title I eligible).

Exploratory investigation of title VII and Public Law 94-142 overlap found that limited English-speaking students may not receive special education services because teachers do not refer them (often to prevent labeling), there are inadequate instruments for diagnosing them, and there is a shortage of bilingual special education personnel.

However, review of the SRI case studies raised some methodological questions, although they were largely exploratory. Additionally, the researcher characterized the study of Public Law 94-142 and title VII overlap as highly exploratory with only a few districts involved and severe time limitations. These case studies resulted, however, in the National Center for Education Statistics conducting a national survey of school

---

1/See appendix I, pp. 84-85.

districts to determine the number of districts participating in multiple Federal-categorical programs and the extent of problems stemming from children's multiple eligibility. The survey found that in school year 1977-78 an estimated 57 percent of the Nation's school districts participated in Public Law 94-142 and that most of these districts (49 percent of the total number of school districts) also participated in title I. An additional 2 percent participated in Public Law 94-142, title I, and title VII. None of the districts participated only in Public Law 94-142 and title VII, but 2 percent participated in title VII and title I. About one-half of the districts participating in multiple Federal programs reported having policies or practices that did not restrict an eligible child to one program. Close to one-fourth of the districts reported policies or practices, however, which limited eligible children to services from only one program.

The remaining districts either had policies of conditional limitation or let the schools make their own decisions regarding participation. Unfortunately, the survey did not ask any questions which would determine, in districts restricting eligible children to services from only one program, from which program the eligible children were excluded.

How much confidence can be placed in the survey findings? The survey report acknowledges difficulty in obtaining accurate responses to program-funding questions at the local level. For example, while 57 percent of the districts "indicated participation" in Public Law 94-142, only 48 percent indicated receiving Federal funds for serving the handicapped. But even the first question of the short survey, which was intended to measure program participation, requests estimates of the number of children eligible and served "in part or in whole with Federal funds" (emphasis in the original) in each of three programs in school year 1977-78. Therein lies one problem which undermines confidence in the survey findings. The 1977-78 school year was the first year of implementation of Public Law 94-142. As reported by the OSE, there were initial difficulties in approving State plans and getting Public Law 94-142 funds to the States. 1/ Many local districts received their first Public Law 94-142 funds late in 1978. Thus, school districts may have responded to the survey question in some confusion. While they may have participated in Public Law 94-142 during the 1977-78 school year, there may have been some question as to the number, if any, of the children served with Public Law 94-142 funds for that school year. Additionally, given that 1977-78 was the first year of implementation, school districts may have been reporting more "practices" than "policies" concerning multiple Federal program participation. There is no way to determine from the survey the extent to which

---

1/See Office of Education [9], p. 96.

"policies" had been developed; however, it seems reasonable to assume that as implementation progressed, such policies would be developed. In short, a different picture might have emerged from the survey had it been conducted after several years of Public Law 94-142 implementation.

Because confidence in the findings concerning overlap between title I and Public Law 94-142 and title VII and Public Law 94-142 is low, the case study and survey raise many questions about the nature and extent of coordination between multiple programs and the nature of services available. An additional question raised by the case study but not investigated is the extent to which students with undiagnosed mild handicaps are receiving services only through title I programs.

SUMMARY

The available evidence indicates that access to special education is influenced by child referral procedures, State definitions of handicapping conditions and eligibility criteria, and school district resources. The influence of title I and title VII has not been determined.

Data regarding the effect of bias in referral and assessment procedures are not available. There is strong evidence, however, that teachers tend to refer some children for special education and not others, depending on their personal beliefs as to "problem children," their belief as to how parents will respond to a referral, and the extent to which these beliefs about parents influence their actions. Although the majority of referrals originate with regular teachers, training for this function (which might reduce or eliminate personal biases) is not the rule across States.

There is little doubt that State definitions of handicapping conditions and eligibility criteria influence who gets special education, but the studies reviewed lack specific information concerning the nature and extent of the problem. We do not know the extent to which States recognize handicapping conditions (e.g., slow learner) not recognized by Public Law 94-142, have moved to service-based definitions, or have definitions which are not consistent with those of Public Law 94-142. No investigation was found of the impact of variability among States in definitions or eligibility criteria for a particular handicapping condition.

There is also considerable weight to support the finding that school district resources impact on who gets special education. A number of studies conclude that program limitations exclude children from access to special education. These program limitations stem from a shortage of funds to pay for needed personnel, space, supplies, and other services.

CHAPTER 6

WHO GETS SPECIAL EDUCATION:

A SUMMARY

Not all children have equal access to special education according to our synthesis of findings across studies. Rather, access to special education depends on interrelated factors such as the State in which the child lives, the child's handicapping condition, sex, minority status, programs available in a school district, and teacher/parental discretion. This chapter summarizes what is known about access to special education and identifies questions that need to be asked or addressed adequately.

THE FINDINGS: WHAT IS KNOWN ABOUT ACCESS?

Nearly 4.2 million children ages 3-21 received special education and related services during the 1980-81 school year according to State reports to OSE. Of these children, about 3.94 million were counted under Public Law 94-142 and the others under Public Law 89-313. Data indicate that the "typical" child receiving special education in public schools was a preadolescent, male, and mildly handicapped. In other words, special education students are young--about 67 percent are 12 years old or younger and generally male--and almost twice as many are males as females. Over 70 percent are white. Three handicapping conditions account for 85 percent of children served under Public Law 94-142 in 1980-81--36 percent learning disabled, 30 percent speech impaired, and 19 percent mentally retarded. Fifty-one percent have a mild handicapping condition, 36 percent moderate, and 13 percent severe as classified by special education teachers.

Our review showed that there no longer seem to be eligible handicapped children who are known to the schools but denied education. State and local child find programs are, according to the available evidence, finding few unserved out-of-school children. There still appears, however, to be a significant number of eligible children already in school who may lack access to special education. Referred to as "underserved" children, they reportedly include 3-5 year olds, secondary students, and 18-21 year old students. Across many of these age groups, emotionally disturbed children are underserved. The underserved also include children of migratory workers and fishers and may encompass military dependents, adjudicated and incarcerated youth, and foster children. Many of the underserved may be females, particularly those who may be emotionally disturbed or learning disabled. If the participation rates of white handicapped children are taken as a norm, then the data show some underrepresentation by racial/ethnic background. Blacks are comparatively underrepresented in programs for the learning disabled and speech impaired, American

Indians are underrepresented in programs for speech impaired children and Asian Americans in programs for the educable mentally retarded and emotionally disturbed, and Hispanics are somewhat underrepresented in speech impaired programs.

There are also groups where comparatively too many children seem to be served as handicapped, although no State is serving close to 12 percent of its 5-17 age population. For example, the learning disabilities category has grown 48 percent from the 1977-78 school year to the 1980-81 school year. The growth, which occurred over each year, will, if continued, shortly exceed current prevalence estimates. Again, if whites are used as a norm, the data show overrepresentation of special education programs by racial/ethnic background. Blacks are overrepresented in educable mentally retarded programs and somewhat overrepresented in emotionally disturbed classes; American Indians are overrepresented in classes for the learning disabled; and Asian Americans are comparatively overrepresented in programs for the speech impaired. As for sex differences, males are overrepresented in all special education programs, particularly in the learning disabled and emotionally disturbed categories.

Findings indicate strongly that the State in which the handicapped child lives affects whether or not the child has access to special education. The resources that a school district has--funds available for needed personnel, space, supplies, and other services --will affect the programs available and, thus, access to special education. There is also evidence that bias in the child referral and assessment process--particularly attitudes and judgments of regular education teachers who initiate most referrals--can influence access to special education.

THE FINDINGS: REMAINING QUESTIONS

Many unanswered questions and some inadequately addressed questions about access to special education remain. The first involves the accuracy of the child count data. While these data have been compared with data from the 1978 elementary and secondary school civil rights surveys, differences in the purposes, data collection methods, and contents and procedures and questions concerning the internal reliability of the OCR data could account for differences in the numbers obtained by the two efforts. The OSE State counts have not been verified. Two major questions remain for the State data. One is the accuracy of school district data on children receiving special education under Public Law 94-142. The second is the extent to which children provided special education through regional or intermediate education units or directly by a State agency such as a Department of Corrections, or other sources, make up the difference between school district aggregate counts and State counts. In brief, other sources of child data need to be investigated.

A second question concerns characteristics of children served. While data on the characteristics of children are generally adequate, no study investigated the nature and extent of etiological reasons for any of the imbalances noted. There may be, for example, certain diseases which have higher incidence in males than females and thereby contribute to the higher special education participation rate of males.

No study investigated children in the birth through age two category. Unanswered questions are the number of handicapped children in this age group and the nature and extent of services to this group. As Public Law 94-142 mandates services by certain dates only to the 3-21 age group, these younger children are not considered among the unserved. These children may, however, participate in Public Law 94-142 (although they cannot be counted for funding purposes).

Other underserved and potentially underserved groups of handicapped children raise similar questions. Across the studies, for example, military dependents, adjudicated and incarcerated youth, and foster children may have difficulty gaining access to special education. None of the studies has, however, estimated the numbers of handicapped children in these groups or the nature and extent of their difficulties. While for the migrant and handicapped, there is evidence that they are underserved, many questions remain, such as how these children are identified as handicapped and what policies and practices States have to provide them with special education.

Another group for whom questions remain are school drop-outs. While question has been raised as to whether these youth are children who at one time received special education services, no study provided evidence on the topic.

A slightly different question is posed by decreases in certain categories. While the child count data reported to OSE show declines in speech impaired and deaf/hearing impaired categories, no study addressed the finding.

As for groups of children who appear overrepresented in certain special education programs, the learning disabled stand out. Prevalence estimates for this handicapping condition may need to be revised upwards. Only one study attempts to explain the finding. While confidence in the study is high, it was not designed to investigate who is being identified as learning disabled.

Information related to the nature, extent, and impact of variations in definitions and criteria across States is also inadequate. While a technically sound study of State definitions and eligibility criteria has been conducted, the results are limited to the initial period of Public Law 94-142 implementation.

Studies of the nature, extent, and impact of overlap between ESEA title I and title VII and Public Law 94-142 are also time-bound because they were conducted during the first year of Public Law 94-142 implementation. The nature and extent of coordination and overlap between these programs remains undetermined.

THE FINDINGS: ASSESSMENT OF STUDIES

What findings about the technical adequacy of the studies can be identified after review? Overall, too many reports did not adequately describe the methodology employed. In such cases, little effort was made to explain procedures either in the body of the report or in a technical appendix for "interested" readers. The scarcity of information hindered determining the soundness of these studies as well as placing confidence in the findings. While a study may actually have been designed and conducted in an exemplary manner, the reviewer limited to the report could make no such judgment. Additionally, few reports contained a section on the limitations of the study, even though such comments strengthen a report by clarifying appropriate use of the data.

Some reports, on the other hand, showed that different types of studies--including case studies and content analyses as well as surveys--can and do provide enough description of procedures to support study findings. This means not that a high degree of confidence was always placed in their findings but that enough information was given to determine the soundness of the study.

OBSERVATIONS

Based on this review of access to special education, we make the following observations. The Department of Education, responding to the draft report, commented on each observation. The Department's complete response is in appendix VI.

1. While the findings indicate that not all children have equal access to special education, the Congressional objective that those most in need of services would receive them with Public Law 94-142 has largely been accomplished. The priorities to first serve the unserved and second the most severely handicapped children within each category may have been realized and, therefore, may have become meaningless. It may be more useful to emphasize State-specific priorities which attempt to identify categories of underserved children.

   Agency comments

   The Department agreed with the overall observation but indicated that while it would support State-specific

priorities, it felt that these should be in addition to the established priorities.

We find the Department's position consistent with the observation.

2. Congressional fears that the learning disabilities category might see a disproportionate allocation of funds to a handicapped category the magnitude of which is not clearly known or understood seem to have been realized with the lifting of the 2 percent cap. We know little about who is being served in this category. These children may include those with mild learning problems, slow learners, and/or children who formerly would have been labeled mentally retarded. The criteria used for determining learning disabilities were not examined by the studies.

Agency comments
The Department concurred with our observation and will work with SEAs, establish an Inter-Department Task Force, and use the Learning Disabilities Institutes, which it currently funds, to address the problem.

3. The forecast for success of congressional safeguards against the overclassification of disadvantaged and minority group children as handicapped seems guarded. Not all study results are available, but 1978 survey data show disproportionate numbers of minority children in some special education programs. There is also overclassification of males, particularly in classes for the emotionally disturbed and learning disabled.

Agency comments
Again the Department agreed with the GAO observation. The Department felt that failure of diagnosticians to develop and use valid assessment instruments has contributed to the problem and it suggested examining the validation issue as well as developing more rigorous classification criteria.

4. None of the studies reviewed were definitive in that they provided answers to all questions about a given topic. Some studies were simply initiated too early in Public Law 94-142 implementation to be useful. However, the overall findings indicate the value of using a variety of studies to evaluate a program rather than relying on a single "definitive" study.

Agency comments
The Department supported this observation.

5. Many study reports did not adequately describe the methodology employed. The scarcity of information prevented determining the technical adequacy of these studies and thus limited placing confidence in the findings. While a study may have been well designed and conducted, a reviewer forced to judge from the report could not have made such an inference.

Agency comments
In agreeing with this observation, the Department concluded that given necessary approvals, a requirement for a complete description of methodology within contractor final reports could be written into future Request for Proposal workscopes.

6. Additionally, there are many gaps in the information about who gets special education. Directions for future studies include, for example: investigating selected States to verify the Public Law 94-142 child count data; examining the nature and extent of etiological explanations for sex, age, and race/ethnicity distribution imbalances; investigating access to services for the birth through age 2 category; investigating the numbers of handicapped children who are military dependents, adjudicated or incarcerated youth, foster children, and migrants and the extent to which these groups have access to special education; investigating the numbers of handicapped youth who are high-school drop-outs; examining the criteria and procedures for identifying learning disabled children; determining the nature, extent, and impact of variations in definitions of handicapping conditions across the States; and investigating the nature, extent, and impact of overlap between ESEA title I and title VII and Public Law 94-142.

Agency comments
The Department agreed with this observation and has requested OSE to integrate these findings in their long-term research plan on Public Law 94-142 implementation.

Overall, the Department reviewers reported finding the evaluation synthesis methodology useful for isolating gaps in knowledge as well as describing what is known about a topic.

ASSESSMENT OF DATA SOURCES
(Studies are presented in alphabetical order)

Name of Study: An Analysis of Categorical Definitions, Diagnostic Methods, Diagnostic Criteria and Personnel Utilization in the Classification of Handicapped Children.

Source/Author: The Council for Exceptional Children

Report Reference: Newkirk, D., Bloch, D., and Shrybman, J. "An Analysis of Categorical Definitions, Diagnostic Methods, Diagnostic Criteria and Personnel Utilization in the Classification of Handicapped Children," prepared for DHEW, Bureau of Education for the Handicapped; Reston, Virginia: The Council for Exceptional Children (March 1978).

Data Collection Period: The study used State policy documents believed to be in effect July 1977.

Study Purpose: To determine the state of definitions of handicapped children and associated practices as described in State policy and as compared with the requirements of Public Law 94-142.

Sample Selection: There was no sample selection; the study investigated policies from all 50 States.

Data Collection: Two data bases were established--State policy and relevant current literature. The CEC Policy Research Center contained considerable material on special education statutes, regulations, and other administrative policy. Using relevant information, profiles were constructed for each State which covered different policy areas: (1) the definitions of handicapping conditions used, (2) the criteria used to determine eligibility for the classification, and (3) procedures used to identify children in need of special education services to determine eligibility. Direct request was made to States for all laws and regulations relative to special education policy as part of a verification procedure. As responses were received, the profiles were revised as needed. As a final check, legal citators, statutory tables, and State codes were used to check the most current statutes against the data base.

The literature search involved analysis of references located by means of 21 computer searches in four data bases: the Exceptional Child data base, ERIC data base, Dissertation Abstracts, and Psychological Abstracts. Results of initial searches led to minor refinement of topics. A second part of the literature search identified, collected, and reviewed sources cited in "authoritative" documents. The third part

of the literature search collected and reviewed policy statements from a variety of professional and nonprofessional organizations involved with handicapped children. Of 46 organizations contacted, 26 sent policy statements or position papers.

Data Analysis: From the State-by-State policy charts, summaries were developed and presented by handicapping condition (the specific learning disabilities category was omitted from review at the request of the Federal agency). Summaries of the State data were also presented for major steps in the assessment process (identification, evaluation, and placement) and for the categories of severity and age of eligibility. Findings from the literature review were presented in the same topical or categorical sequence.

Usefulness: The report commendably includes a section on study limitations. This section delineates the major potential study weakness--accuracy of the State policy. The researchers acknowledge that despite all their attempts to verify the information, it is possible that some information is simply not correct.

Another factor also potentially limiting the accuracy of the study is interpretation of the data. Age ranges, for example, such as 3-5 may have been unclear or contradictory as to whether the correct interpretation was 3 to 5 years of age or 3 through 5 years of age. Additionally, the researchers had to make judgements as to whether the State policies were consistent with Public Law 94-142. Again to their credit, the researchers set forth their criteria--when in doubt, they leaned toward strict interpretation of Public Law 94-142.

In all, this was a comprehensive and carefully done study. While a moderately high degree of confidence can be placed in the findings, it must be noted that the report is particularly time-bound in its analysis of 1977 policies.

Name of Study: Case Studies of Overlap Between Title I and Public Law 94-142 Services for Handicapped Students

Source/Author: SRI International

Report Reference: Birman, B.F. "Case Studies of Overlap Between Title I and Public Law 94-142 Services for Handicapped Students," prepared for DHEW, Office of the Assistant Secretary for Education (Contract No. OEC 300-76-0025), Menlo Park, California: SRI International (August 1979).

Data Collection Period: This information is not provided.

Study Purpose: To determine the extent of duplication of services to students who might be eligible for both title I and Public Law 94-142 services and to determine the extent that procedures and rules used in the selection and provision of services to students result in limitations of services that a student might be eligible to receive.

Sample Selection: Six States were selected for case study based on special education expenditure levels, relative size of the poverty population, size of the title I program, level of services provided by ESEA title I, recency of the State's special education law, and figures from the Office of Education showing the proportion of handicapped students served in title I programs in 1975-76. States were selected to maximize variability on these factors. Within each State, from 3-5 districts were selected to represent a cross section of urban, suburban, and rural districts.

Data Collection: Face-to-face interviews were conducted in California and Tennessee. Telephone interviews were undertaken in Wyoming, South Carolina, Washington, and Oklahoma. Unstructured interview guides were used. Within each district, two or three schools were telephoned or visited, at least one of which was generally a title I elementary school and another a non-title I elementary school. In each school, a minimum of three people were interviewed, typically the principal, the title I teacher, and a special education teacher. Whenever possible, at least one regular teacher also was interviewed.

In addition, the study investigated issues involved in triple overlap among title I, handicapped, and bilingual programs in four districts. As a "side" study, the activity is described only in an appendix.

Data Analysis: Data were analyzed to describe the student selection process for the programs, the services provided by the programs, and receipt of services by dually identified students. Data were examined on a case-by-case basis and across

cases. Specific data reduction and/or descriptive analysis techniques are not detailed.

Usefulness: This study was intended to identify the range of problems that schools face in providing services to dually identified children. It was to explore the problems of overlap, their range and their magnitude in order to provide a better understanding. In this exploratory sense, the case studies achieved their purpose. The study was not intended to provide a complete or statistically accurate picture of the nationwide incidence of title I and Public Law 94-142 overlap problems.

Confidence in the study findings is, however, somewhat undermined by the minimal description of methodology offered. For example, no dates are provided which indicate when the data were collected. If the study was conducted during the first year of Public Law 94-142 implementation, review would need to consider whether the identified problems were likely to be related to start-up problems. Additionally, no description is provided of criteria used to select interviewers within desired respondent types, data collectors, their training, or procedures to ensure consistency of data collection. This last factor is particularly important as two data collection modes were used.

Name of Study: Case Study of the Implementation of Public Law 94-142

Source/Author: Education Turnkey Systems Inc.

Report Reference: Blaschke, C.L. "Case Study of the Implementation of Public Law 94-142," prepared for DHEW, Bureau of Education for the Handicapped (Contract No. 300-77-0528); Washington, D.C.: Education Turnkey Systems, Inc. (May 1979).

Data Collection Period: Fall 1977, Spring 1979, Fall 1978 - Winter 1979

Study Purpose: To describe the activities undertaken by LEAs to implement Public Law 94-142 and to describe and analyze the consequences, both intended and unintended, of implementation that occurred, particularly at the LEA level.

Sample Selection: Three States and within each State, three LEAs, were selected for case study. The key variable for State selection was "stage of development" as defined by the recency of State law similar to Public Law 94-142. Within each State, one urban, one rural, and one suburban LEA were selected. LEAs were selected only if their per-pupil expenditure was within one standard deviation of the State mean for that type of district.

Data Collection: Data were collected largely through unstructured informal interviews; observation of school meetings and document review also were used. A breakdown of the number and types of people interviewed at each site is provided -- about 1500 interviews were conducted with LEA central office and building administrators, regular and special education teachers, support staff, parents, and representatives from advocacy and special interest groups. Data collection occurred in three phases with the first two phases being mainly initial interviews, and the third phase focusing on changes over the last year. Only about half of the schools involved in the third phase were, however, involved in the previous phases. State level officials were also interviewed.

A conceptual framework for assessing Public Law 94-142 implementation was developed to guide data collection. The report specifies the general areas of inquiry, however, only for special education staff interviews. These areas of inquiry were: (1) description of the perceived special education process and the person's role in that process, (2) description of the nature and extent of change in the progress and in the person's role over the last year, (3) the nature and extent of consequences, intended and unintended, that arose and affected the person as Public Law 94-142 was implemented, and (4) the person's beliefs about

why these particular consequences arose, the extent to which they created problems, and how the person coped with them.

Data Analysis: The conceptual framework was also intended to guide analysis efforts, although no further discussion is provided. Data were analyzed to determine the consequences of Public Law 94-142 implementation in each site and describe implementation of major provisions of the legislation. Data also were compared across sites in each State and they were compared across LEA setting (i.e., urban, suburban, and rural).

Usefulness: The usefulness of this study would be increased by a fuller description of methodology. A discussion of the procedures used, for example, to ensure comparability in data collection across the nine sites would have strengthened confidence in the soundness of the study. Overall, more detail is needed to give an adequate picture of data collection and analysis procedures.

Report of findings is also sparse. For example, a reported finding is that psychologists in urban school districts perceived a change in their role with Public Law 94-142 implementation. No further information is, however, provided which would enable the reader to determine whether psychologists in rural and/or suburban school districts perceived the same role change, did not perceive a role change, were mixed in their response, or were not asked the general question.

As a case study of nine school districts across three States, there are limitations as to generality of findings. While the report claims that the strength of the evidence supporting the findings is indicative of the national impact of Public Law 94-142 upon most districts across the country, no specifics are presented to back the claim. Using a set of rules developed for drawing inferences about the generality of findings from case studies, the study is not found to meet the criteria. 1/ There was no effort, for example, to ensure a wide range of attributes across the sample sites. School districts were selected primarily, for their setting.

In summary, the study is useful in illustrating the impact of Public Law 94-142 in local school districts. Confidence in the study findings increases, however, as its findings are found to compare with findings from other related studies and as it serves to suggest explanations for the findings of survey efforts.

1/Kennedy, M.M. "Generalizing From Single Case Studies," Evaluation Quarterly, Volume 3, No. 4, pp. 661-678 (November 1979).

Name of Study: Federal Compliance Activities to Implement the Education for All Handicapped Children Act (Public Law 94-142)

Source/Author: Education Avocates Coalition

Report Reference: Report by the Education Advocates Coalition on Federal Compliance Activities to Implement the Education for All Handicapped Children Act (Public Law 94-142); April 16, 1980.

Mental Health Project
1220 Nineteenth Street, NW.
Washington, D.C. 20036

Center for Independent Living
2539 Telegraph Avenue
Berkeley, California 94704

Legal Center For Handicapped Citizens
1060 Bannock Street, Suite 316
Denver, Colorado 80204

Better Government Association
230 N. Michigan Avenue, #1710
Chicago, Illinois 60601

Advocates for Children of New York, Inc.
29-28 41st Avenue, #508
Long Island City, New York 1101

Tennessee State Planning Office
301 Seventh Avenue, North
Nashville, Tennessee 37219

Vermont Mental Health Law Project
180 Church Street
Burlington, Vermont 05401

Children's Defense Fund
1520 New Hampshire Ave., NW.
Washington, D.C. 20036

National Center for Youth Law
693 Mission Street, 6th floor
San Francisco, California 94105

Governor's Commission on Advocacy for the Developmentally Disabled
Carlton Building
Tallahassee, Florida 32301

Children's Defense Fund
Mississippi Office
P.O. Box 1684
Jackson, Mississippi 39205

Education Law Center
2100 Lewis Tower Building
225 South 15th Street
Philadelphia, Pa. 19102

Advocacy, Inc.
5555 North Lamar Street
Austin, Texas 78751

Data Collection Period: Current through December 1, 1979

Study Purpose: To investigate the status of implementation of Public Law 94-142 and OSE's compliance activities over the years.

Sample Selection: Eleven States were selected for in-depth study based on factors including geography, size, and population density.

Data Collection: Education advocacy groups in each of the selected States were asked to investigate one or more of 10 compliance problems which had previously been identified as national in scope and amenable to documentation. For each problem "assigned," they were to describe the nature of State and local noncompliance for handicapped children and provide documentation on impact and provide supporting information on OSE's handling of the problem. Additionally, a review of OSE monitoring and related materials was conducted.

Data Analysis: No description is provided.

Usefulness: It may be inappropriate to include this report by the Education Advocates Coalition in a list of evaluation studies. As is made plainly clear by the report itself, data were collected not to evaluate a program but to support already formed conclusions about the program. Thus, for the Coalition's purposes, it was sufficient to provide examples of noncompliance with Public Law 94-142 in each of the 10 problem areas. It was not necessary to explore the depth and breadth of each problem within the 11-State sample or identify explanations for variations in findings across States. Still, the report is a potentially valuable source for some individual State data related to Public Law 94-142 implementation and, hence, included in this assessment.

Further examination of the report indicates that the data presented are secondary rather than primary source data. New information on Public Law 94-142 implementation was not collected, but instead summaries of evidence filed in litigative cases and summaries of Office of Civil Rights information are used. No checks on the reliability or validity of these data appear to have been made. This finding limits the utility of the report in relation to this synthesis effort. To determine the soundness of the data one must evaluate the Office of Civil Rights data itself as well as the evidence used in litigation.

Name of Study: Issues and Policy Options Related to the Education of Migrant and Other Mobile Handicapped Students

Source/Author: The Council for Exceptional Children

Report Reference: Barresi, J.G., "Issues and Policy Options Related to the Education of Migrant and Other Mobile Handicapped Students," prepared for DHEW, Bureau of Education for the Handicapped (Grant No. G007702411); Reston, Va.: The Council for Exceptional Children (November 1980).

Data Collection Period: Not specified.

Study Purpose: To conduct a preliminary investigation of the impact of mobility on the identification of and delivery of appropriate education to handicapped students, and to identify barriers and potential corrective policy options which could guarantee educational rights and protections to these students.

Sample Selection: The study included a literature review, focused survey of six States, and in-depth investigation in one State. The six States in the focused survey were selected "on the basis of their migrant education experience." Five of the States had been included in a 1972 evaluation of migrant title I programs. An additional selection factor was that three of the States were represented on the project's Advisory Committee. The State chosen for more intensive investigation was selected for its proximity, its history of leadership, and its study of the incidence of handicapping conditions among its migrant student population.

Data Collection: Letters, containing six questions on the identification of and delivery of appropriate education to handicapped mobile students, typically were sent to State directors of special education in the selected States. Once responses were received, follow-up telephone calls were made to obtain additional information or clarification. One of the six States, selected for more in-depth investigation, was visited for two days. Interviews were conducted with State directors of migrant education and special education, selected parents, administrators, and regional and local staff.

Data Analysis: Given the exploratory nature of the activity, State-by-State analyses were not conducted across the questions. Instead, responses are used to illustrate the impact of mobility and existing policy gaps and barriers.

Usefulness: The study is exploratory and investigative in nature; it was not designed, executed, or analyzed with a high level

of precision. No claims are made, however, for the study that are not supported by the data--the data are used to illustrate problems. State-by-State comparisons are not generally reported nor is a case made that the "state-of-the-art" has been determined. As an exploratory/ investigative endeavor, the study is quite useful. It highlights problems in the identification of and delivery of services to mobile handicapped children which require broader investigation.

Name of Study: Local Implementation of Public Law 94-142: First Year Report of a Longitudinal Study.

Source/Author: SRI International

Report Reference: Stearns, M.S., Green, D., and David, J.L. "Local Implementation of Public Law 94-142: First Report of a Longitudinal Study," prepared for DHEW, Bureau of Education for the Handicapped (Contract No. 300-78-0030), Menlo Park, California: SRI International (April 1980).

Data Collection Period: 1978-79 school year.

Study Purpose: To trace progress using an in-depth, case study approach in implementing Public Law 94-142 at the local school district level, to provide an understanding of how implementation occurs, and, to the extent possible, to explain the reasons behind the responses.

Sample Selection: With the goal of choosing a number of sites small enough to study intensively and yet varied enough to support generalizations to a larger population, 22 local school districts were selected for study. LEAs were selected to maximize variation on local factors, such as the availability and accessibility of resources, deemed most likely to explain differences in local implementation. Each factor was essentially a cluster of variables. Availability of resources, for example, was defined as the amount of local funding, facilities, qualified staff, administrative leadership, and community involvement. Adequacy of the sample in achieving the desired variation was confirmed by preliminary site visits in Spring 1978.

The selection of LEAs was limited to nine States. The purpose of the State selection was to maximize the likelihood of obtaining relevant variation among LEAs in the resulting sample. States were selected to represent a continuum on the match between existing State law and Public Law 94-142 and to vary on State funding formulas for special education and the State system of organization of special education.

Data Collection: Data were collected during two 2-4 day visits to each site, one in the Fall and one in the Spring. Each visit was conducted by two trained site visitors who conducted interviews, collected relevant documentation, and attended school meetings. No structured instrumentation was used; however, topics were derived from the conceptual framework. A "debriefing" format which specified these topics was developed to guide the site visitor in collecting data and was the format for reporting to ensure comparable

information across sites. Criteria for respondent selection were also developed which basically specified a role needed (e.g., a director of special education) or the kind of information needed from a particular role (e.g., a parent who can present a balanced point of view).

To provide a reliability check, each two-person team consisted of "permanent" or "regular" site visitor accompanied by a "rotating" site visitor. The rotating site visitor was to, hopefully, independently confirm the permanent site visitor's perceptions and interpretations, possibly prompt new hypotheses and explanations, and identify general patterns.

Data Analysis: The debriefings served to reduce and organize data by topic. In performing cross-site analyses, the purpose was to make inferences across sites about LEAs in general. Analyses were performed to test the extent to which statements of findings could be supported across all sites, or could be associated with certain characteristics explaining differences among LEAs. A complex series of inductive sorts of findings were used to ensure that a wide variety of hypotheses were generated, then compared to a list of findings of other sources; after several intermediary steps, a draft set of propositions was developed for site visitors to disconfirm, confirm, or qualify based on their visits. Finally, the findings were organized to highlight themes and patterns.

Usefulness: The report provides a comprehensive description of the study methodology including the conceptual framework, its relation to data collection, data collection cycles, role and training of site visitor, selection of States and LEAs, and data collection and analysis. The level of information is needed to determine the adequacy of procedures, and overall, the study is found to be well-designed, executed, analyzed, and reported. In general, there is a logical consistency between the design and data collection procedures and the data collection procedures and data analysis and reporting.

The report would, however, have been further strengthened by a matrix illustrating the initial investigatory topics, the respondents to be queried, and the criteria for respondent selection. Much care has been taken in this study to control for site visitor and analyst bias, but no evidence is provided of lack of bias in the initial design. For example, a given topic might have been parent/school relations, the respondent group parents, and the criteria for respondent selection, parents who have been involved in due process hearings. One might expect parents who have been through hearings to have a more adversarial relation with school staff than parents who had no experience with due

process hearings. At any rate, the findings concerning the status of parent school relations would not appropriately be generalized to all parents. Additionally, there appear to have been no checks on the application of respondent selection criteria. Would an adequate source for parents "who can present a balanced point of view" be those involved in advocacy groups? While on the one hand there is no reason to believe that there are problems with these aspects of the study, on the other hand addressing them would increase confidence in the study.

Given the moderately high confidence in the soundness and appropriateness of the general study methodology, we can turn to the issue of generality. Because statistical techniques do not apply to case studies, illustrations rather than generalizations are typically made from case studies. A set of rules for drawing inferences about the generality of findings from case studies has, however, been suggested. 1/ The criteria are that (1) there is a wide range of attributes across the sample cases, (2) there are many common attributes between sample cases and the population of interest, (3) there are few unique attributes to the sample cases, and (4) the attributes are relevant.

Review indicates that these criteria were adequately met. First, the 22 sites were selected to maximize variation on a large number of factors intuitively believed to explain implementation across the greater population of school districts. Variation on the large number of factors was confirmed as a goal of the study. Second, individual site factors were acknowledged. The search for generalizable explanations was limited to the subset of sites providing both relevant and reliable data on a given topic. Thus the study guarded against confusing idiosyncratic outcomes with more generalizable outcomes but permitted both types of outcomes to be identified. Finally, the analysis plan was designed to consider all relevant alternatives to a particular explanation for a finding before accepting the particular explanation.

In brief, the study presents a reasonable case that (1) within the sample relevant alternative explanations for findings have been considered and rejected and (2) that the explanations would be equally valid if tested by the same criteria against the data in any other sample comparably

---

1/Kennedy, M.M. "Generalizing from Single Case Studies," Evaluation Quarterly, Volume 3, No. 4, pp. 661-678 (November 1979)

drawn from the larger population. On the other hand, had vast resources been spent on randomly selecting a national sample of school districts, randomly selecting respondents by category within school disticts and conducting the same unstructured interviews and analysis of the data, confidence in the strength of the generalization would undeniably be increased. The ultimate issue is not whether one can generalize from the SRI study as designed and conducted, but whether given the questions to be addressed or the decisions to be made with the data, the degree of confidence in the generality of the data is sufficient. While the SRI data are not believed sufficient to support decisions requiring precise quantitative data (e.g., proportion of handicapped children who are unserved), they are held to be sufficient for explaining factors that influence implementation of Public Law 94-142 at the local level.

Name of Study: A National Survey of Individualized Education Programs (IEPs) for Handicapped Children

Source/Author: Center for Educational Research and Evaluation/ Research Triangle Institute

Report Reference: Pyecha, J.N. "Final Report. A National Survey of Individualized Education Programs (IEPs) for Handicapped Children," prepared for the U.S. Department of Education, Office of Special Education (Contract No. 300-77-0529); Research Triangle Park, North Carolina: Center for Educational Research and Evaluation, Research Triangle Institute (October 1980).

Data Collection Period: February 1979 - June 1979

Study Purpose: To design and conduct a national survey of the properties and contents of individualized education programs (IEPs). More specifically, the study was designed to: (1) identify factors associated with variations in the properties and contents of IEPs, (2) provide descriptive information about the target population, the nature of settings, for special education services provided to this population, and the process whereby IEPs are developed, (3) assess changes in significant properties of IEPs from one year to the next, and (4) provide insight into the extent to which the services actually provided to handicapped students coincide with those specified in their IEPs.

Sample Selection: The National Survey of IEPs consisted of a Basic Survey and two substudies: a State/Special Facility Substudy and a Retrospective Longitudinal Substudy. The sampling strategy for the Basic Survey and Retrospective Longitudinal Substudy was a single, consolidated multistage cluster design--public school districts were sampled at the first stage, schools at the second, and handicapped students at the third.

A valid probability sample of 2687 eligible handicapped students was selected for the Basic Survey and of these students a subsample of 828 were selected for the Retrospective Substudy. Actual respondents were 2657 for the Basic Survey and 796 for the Substudy.

The facility substudy was a separate two-stage cluster design having facilities at the first stage of sampling and handicapped students at the second stage. A total of 556 students were selected for this sample, of whom 550 became actual respondents.

Volume II of the Final Report, "Introduction, Methodology, and Instrumentation," provides a thorough description of sampling procedures including computation of sampling weights, adjustment for nonresponse, and standard errors.

Data Collection: Seven data collection instruments were developed and field tested: An IEP Evaluation Checklist for determining the content and characteristics of IEPs, a Student Characteristics Questionnaire, School Characteristiccs Questionnaire, State/Special Facility Characteristics, a sampling information Protocol, and a Substudy Protocol. Questionnaire items have a strong relationship to basic study design questions and subquestions.

Data collection had four major steps. The first involved following a standard protocol to gain cooperation from 232 selected school districts in 43 States (all 43 States agreed to cooperate, as did 208 of the school districts). The second step consisted of training field staff; the third, actual school data collection, involved completing the School Characteristics Questionnaire, selecting a sample of students with current year IEPs according to specified procedures, copying the IEPS and deleting identifying information, and obtaining a Student Characteristics Questionnaire from the special teacher most familiar with the child's IEP. The fourth step was to conduct the longitudinal substudies. Similar steps were followed in the sample of State/special facilities. Of 77 eligible facilities in the sample, 73 participated.

Data Analysis: This category also subsumes multiple steps. First, completed documents were subjected to receipt-control activities. Second, IEPs were coded. Quality control procedures were assigned to a single person to maximize coder accuracy, to assist coders in handing non-standard data, and to maximize intercode reliability. For example, this individual recoded at least one IEP out of eight, compared this checklist with the one prepared by the code, recorded any differences in a log, and conferred with coders to explain any problems found in coding.

The majority of data analyses were of two types. One type of analysis provided percentages of cases falling into various categories. The other type provided estimates of mean values. Comparative analyses involved computing and contrasting counts and proportions for two subpopulations.

Usefulness: The technical conduct of this study was exemplary. Review of the methodology indicates that a high level of confidence can be placed in the soundness of the overall findings of the study. The study's relative weakness is in the substantive design end of the study. For example, the

study was not well-designed to investigate the process by which IEPs were developed and the design for determining the quality of IEPs, while exploratory, has conceptual problems.

Name of Study: School Districts Participating in Multiple Federal Programs Winter 1978-79

Source/Author: National Center for Education Statistics

Report Reference: Goor, J., Moore, M., Demarest, E., and Farris, E., "School Districts Participating in Multiple Federal Programs, Winter 1978-79," prepared for DHEW, National Center for Education Statistics (Contract No. 300-76-0009) by Westat, Inc.: Rockville, Maryland (Fast Response Survey System Report No. 7, n.d.).

Data Collection Period: Winter 1978-79

Study Purpose: To survey school districts to obtain a better understanding of districts participating in multiple Federal-categorical programs and the extent of the problems stemming from children's eligibility for more than one program.

Sample Selection: The Fast Reponse Survey System (FRSS) is a national data collection network established by the National Center for Education Statistics. This survey used the FRSS national sample of LEAs. This sample of 600 LEAs was drawn from the universe of approximately 15,000 public school districts in the United States. The universe of LEAs was stratified by enrollment size and sorted by geographic region prior to sample selection. The sample was reduced to 543 school districts after corrections for such factors as school district mergers and closings.

Data Collection: Questionnaires were mailed to respondents in January 1979. The FRSS network includes coordinators who assist in the data collection by maintaining liaison with the sampled agencies. It also includes respondents, selected by their agencies, who assume responsibility for completing FRSS questionnaires. Data collection efforts were halted after a 92 percent response (498 LEAs) was achieved. A weight adjustment was made to account for survey nonresponse.

The brief questionnaire was designed to obtain information on the following seven areas: (1) the number of districts participating in each of three major Federal programs in the 1977-78 school year, (2) the approximate number of children served through each program, (3) the number of districts in which children participated in more than one of these programs and the number of these children,

(4) problems resulting from multiple eligibility, (5) policies adopted by districts governing multiple eligibility, (6) estimates of Federal, State, and local categorical funding, and (7) estimates of the total number of children served from any funding source.

Data Analysis: Descriptive analyses corresponding to the seven information areas were conducted. Coefficients of variation, used to determine standard errors and thus estimate the precision of the statistic, are available upon request but presented only for selected items.

Usefulness: The study's major limitation is that the data were collected for the 1977-78 school year. This was the first year in the implementation of Public Law 94-142 and there were still many "bugs" in the system as reported by the Federal agency responsible for the administration of the act. 1/ One reported problem was the slowness with which funds actually got to the States and in turn flowed to LEA. According to OSE, many LEA's did not receive their allotments until late in FY 1978. This problem may have affected LEA's interpretations of and responses to questions concerning participation in and Federal funding for Public Law 94-142 during the 1977-78 school year. Additionally, LEAs had to be able to generate a minimum grant of $7500 in order to be eligible to receive Public Law 94-142 funds. It is reasonable to expect that in subsequent years as the funding levels for the Act increased substantially, so did the number of LEA's receiving funds. Given the nature of the questions asked and for which the data were collected, the degree of confidence that can be put into the study findings--as least as far as concerns Public Law 94-142 --is limited, even though the study is technically sound.

1/U.S. Office of Education. "Progress Toward A Free Appropriate Public Education. A Report to the Congress on the Implementation of Public Law 94-142: The Education for All Handicapped Children Act." Washington, D.C.: (January 1979) pp. 96-97.

Name of Study: Service Delivery Assessment. Education for the Handicapped

Source/Author: Office of the Inspector General/DHEW

Report Reference: Service Delivery Assessment. Education for the Handicapped, May 1979.

Data Collection Period: No dates are provided.

Study Purpose: To identify the reasons for widely differing proportions of handicapped children in local school districts and to obtain a perspective from the field on the implementation of the special education program.

Sample Selection: Phase I of the study involved 13 States and, within the States, a total of 2250 unified school districts. Phase II was conducted in 24 local school districts in 6 States. No information is provided as to how the 13 States for Phase I were selected; however, it appears that all school districts within those States were studied. As with Phase I, there is no rationale or discussion of Phase II State selection. Selection factors for local school districts within the six States are presented with the districts (probably within each State--the description is unclear) representing a balance of high and low percentages of special education enrollment--about two thirds were "high" districts and one third "low." Two thirds of the districts were characterized as rural.

Data Collection: No description of Phase I data collection is provided, but from the findings it is possible to determine that the following information was collected from school districts: student population, minority enrollment, handicapped enrollment by category of handicapping condition, average per pupil expenditures for handicapped and non-handicapped students, numbers of psychologists, therapists, and nurses employed, and geographic location (i.e., urban, suburban, or rural).

Phase II fieldwork consisted of interviews which were conducted with slightly over 1000 individuals or an average of 40 persons in each district. A breakdown is given of the numbers and types of persons interviewed who included special and regular education students, parents of special and regular education students, special education teachers, school board members and school principals, special education administrators, and representatives of advocacy groups for the handicapped.

No additional information on Phase II data collection is provided, but from the findings it can be assumed that people were queried as to reasons for discrepancies between the actual count of handicapped students and estimates of the incidence of handicapped children, reasons why handicapped children are not served, the influence of reimbursement practices on identifying handicapped children, and future projections on the numbers of handicapped children.

Data Analysis: Other than indicating that Phase I provided a statistical analysis of factors contributing to the variation among school districts in special education enrollment, no information on data analysis is provided.

Usefulness: The utility of this report is limited by the minimal description of study methodology and resulting difficulty in determining its soundness. There is no description, for example, of State selection criteria or factors. It is not know if these factors were considered in data analysis or if they relate to study findings. It is not known who collected Phase I or Phase II data, how the data, particularly in Phase I, were collected, and whether or not any instrumentation was used. The types of analysis performed on Phase I data are not specified. Additionally, how people were selected within school districts for Phase II interviewing or whether there was comparability within and across districts in persons interviewed and interview topics is not known. Any of these pieces of missing information potentially could invalidate the study. While the study may have high reliability and validity, the reviewer can place only limited confidence in the study without seeking additional information.

Name of Study: State Allocation and Management of Public Law 94-142 Funds.

Source/Author: Rand Corporation

Report Reference: Thomas, M.A. "State Allocation and Management of Public Law 94-142 Funds," prepared for the U.S. Department of Education, Office of the Assistant Secretary for Planning and Budget (Contract No. 300-79-0522) by the Rand Corporation: Santa Monica, California (September 1980).

Data Collection Period: January - June 1980

Study Purpose: To determine whether additional or revised procedures concerning the use of program funds should be instituted to help States better meet the intent of Public Law 94-142.

Sample Selection: Given time and budget constraints, the study was limited to nine States. The States were selected from among 14 States randomly sampled for another study conducted by Rand. The nine States were intended to vary along five dimensions: geographic region, number of special education students served, type of special education finance formula, type of general school finance formula, and State special education funds per handicapped child. The author acknowledged that given the small sample of States, the study questions cannot be definitely answered. The nine States represented, however, 30 percent of Public Law 94-142 funds to States in FY 1980 and on that basis are indicative of the effects of Federal and State policy on Public Law 94-142 implementation.

Data Collection: Interviews in the nine States and Washington, D.C., provided the major source of study information. A total of 39 State department of education officials--special education and finance personnel--were interviewed in 3-day visits to the States. OSE administrators also were interviewed. Four research questions were used to develop a list of topics for discussion with State and Federal officials: (1) How are States allocating their Public Law 94-142 funds, (2) How compatible are Federal requirements for allocating these funds with State regular and special education finance formulas, (3) How are States managing their Public Law 94-142 program, and (4) How do they influence and monitor the program in local districts?

Documents such as FY 1979 and FY 1980 Annual Program Plans for special education, State special education budgets, and State regular and special education finance formulas were reviewed for each State. Data collected in Washington,

D.C., included informal memoranda and policy letters to States, program review reports, and Congressional subcommittee reports on Public Law 94-142. All interviews were conducted by the author.

Data Analysis: No description of data analysis is provided. It can be seen, however, that analysis, like the actual report organization, revolved around the two topics of State allocation of Public Law 94-142 funds and State management of the program and the four specific questions. Frequency distributions were produced and State variation, or lack of, was examined.

Usefulness: This study is noteworthy for its clear and simple (but not simplistic) approach to the problem. The study design was closely paralleled by data collection "topics," analysis, and reporting. More specification, however, of data analysis procedures would have strengthened the study report. Also, while the report makes the point that the small sample of States does not allow definitively addressing the study questions, national implications are drawn from the study's findings. Findings are supported by the data; the issue is one of consistency in the interpretation.

Name of Study: A Study of the Implementation of Public Law 94-142 for Handicapped Migrant Children

Source/Author: Research Triangle Institute

Report Reference: Pyecha', J.N. "A Study of the Implementation of Public Law 94-142 for Handicapped Migrant Children," prepared for the U.S. Department of Education, Office of Special Education (Contract No. 300-77-0529): Research Triangle Park, North Carolina: Research Triangle Institute (October 1980).

Data Collection Period: March - May 1980

Study Purpose: To determine the extent to which a sample of handicapped migrant children who were identified as being handicapped in January or February 1978 were similarly identified in, and had IEPs prepared by, each of the schools in which they were enrolled during the period from January 1978 through June 1979.

Sample Selection: Through another national study, RTI identified a sample of 146 migrant chiildren who were enrolled in grades 2, 4, or 6 at regular schools in January - February 1978 and who were classified by their schools as being trainable mentally retarded or functionally disabled. Using the Migrant Student Record Transfer System (a nationwide service that maintains computerized files containing personal health and educational data on identified migrant students) on which these children were enrolled, educational histories for these students for the 18-month period were obtained. This sample was augmented to include a group of migrant children enrolled in special education schools and also enrolled in the MSRTS. This group was drawn from 100 randomly selected public special schools in California, Florida, and Texas (about 60 percent of all known migrants reside in these three States); data were collected and reported for 153, or 78 percent, of the 196 students in the total sample. This number includes 130 students in the Regular School component (89 percent selected) and 23 students in the Special School component (46 percent of the 50 selected).

Data Collection: Telephone interviews were conducted with school personnel to verify the child's attendances, to fill in any enrollment gaps in the child's history during the 18-month period, to ask if the student had been identified as having special education needs due to a handicapping condition, and if so to determine if an IEP had been obtained from another school and/or had been developed for the child. If IEPs were developed, copies were solicited and analyzed by RTI as in the Basic Survey of IEPs.

Data Analysis: Data on this sample of handicapped migrant children could have been weighted to reflect the national probability samples from which it was drawn and to yield estimates of target population counts and proportions. The sample sizes for the regular and special school components were, however, judged inadequate to warrant any attempt to approximate the precision of the parameter estimates. Thus, the sample data were analyzed as if they had been purposely selected.

Data were analyzed to describe (1) the realized sample, (2) the extent to which sample students were identified across school enrollments as being in need of special education and related services, (3) the extent to which IEPs were developed for students as they moved between schools and school districts, (4) the extent that IEPs or IEP-related information is transmitted between schools and used by staff, and (5) the degree to which IEPs prepared by different schools for the same students reflect common assessments of needs and continuity in service provision.

Usefulness: Given funding constraints, the design, execution, and analysis of this study are found to be exemplary. The report thoroughly documents the study methodology including such aspects as the sampling frame and sample selection, realized sample sizes and reasons for nonparticipation, rationale for lack of population projections, procedures for notifying State and local education agencies and securing their participation, procedures for conducting telephone interviews including interviewer guides, and procedures for assuring confidentiality. In general, there is a logical consistency between the design and data collection procedures and analysis.

The report would have been further strengthened, however, by considering in the conclusions section, the effects of the low realized sample (46 percent) of special school children and the unexpectedly small number of students found to actually migrate between districts. Additionally, qualifiers are needed on the finding that the different schools in which handicapped migrant students enroll are not consistent in identifying and preparing IEPs for these students. An identification rate of 80 percent in 295 school enrollments indicates some consistency, even if not the desired level of consistency. It is substantially different from the IEP development rate of 60 percent for the 295 enrollments.

Name of Study: Study of Student Turnover Between Special and Regular Education

Source/Author: SRI International

Report Reference: Mitchell, S. "Study of Student Turnover Between Special and Regular Education: Ethnographic Cross Site Analysis," prepared for the U.S. Department of Education, Office of Special Education; Menlo Park, California: SRI International (December 1980).

Mitchell, S. "Study of Student Turnover Between Special and Regular Education: Case Studies of Student Turnover in Nine School Districts," prepared for the U.S. Department of Education, Office of Special Education; Menlo Park, California: SRI International (February 1981).

Data Collection Period: Spring 1980 to Spring 1981

Study Purpose: To examine issues regarding student turnover between special and regular education.

Sample Selection: Nine districts were selected in three States that could provide computerized files containing information regarding handicapped students. The sites included urban, suburban, and rural areas and, within the over-riding constraint of the requirement for computerized systems, included districts which varied on other factors identified as important to the study.

Data Collection: Data collection in this exploratory study addressed six objectives: (1) assess the effect of student turnover on the December 1 child counts used for Public Law 94-142 funding, (2) describe how the rate of transfer from special to regular education varies by selected student and district characteristics, (3) describe district policies and practices for transferring students to regular education classes, (4) describe district policies and practices for facilitating and monitoring such transfers, (5) determine the extent to which these transfers have been successful, and (6) identify policies and practices that are effective in the successful placement of handicapped students in regular education programs.

Some of these objectives require quantitative management information system data for their complete address. The two referenced reports deal only with the ethnographic portion of the study which involved 2-day visits to each site for open ended interviews with key informants -- the superintendent, director of special education, district psychologist,

special education coordinator, school principals, school psychologists, special education teachers, regular education teachers, counselors and parents and advocate group representatives. Interview guides indicated which topics were to be discussed with each type of informant.

Data Analysis: Fieldworker interview notes from the ethnographic study were as complete a record of the verbatim interview as possible. Each set of district responses was coded by role and the research questions or objectives. After each set of district responses was coded to the research questions, results were compared across districts. From this analysis, a three-stage developmental model was proposed of special education turnover.

Usefulness: The ethnographic part of this case study has, in effect, resulted in the formation of a hypothesis. It will take a much broader and more representative look at school districts to provide any findings related to this proposition.

Name of Study: A Study to Evaluate Procedures Undertaken to Prevent Erroneous Classification of Handicapped Children.

Source/Author: Applied Management Sciences, Inc.

Report Reference: "A Study to Evaluate Procedures Undertaken to Prevent Erroneous Classification of Handicapped Children. Draft Final Planning Report," prepared for ED, Office of Special Education (Contract No. 300-79-0669). Silver Spring, Maryland: Applied Management Sciences (June 1980).

"A Study to Evaluate Procedures Undertaken to Prevent Erroneous Classification of Handicapped Children. Analysis Plan," prepared for ED, Office of Special Education (Contract No. 300-79-0669); Silver Spring, Maryland: Applied Management Sciences (April 1981).

Data Collection Period: Fall 1980 - Spring 1981

Study Purpose: To describe assessment practices used by local school systems to identify, classify, and to determine the educational placement for handicapped students, and to determine the soundness of those assessment practices.

Sample Selection: One hundred public school districts were selected from a stratified, systematic sample. Systematic selection of 22 replicates was necessary as some LEAs declined or were unable to participate. Within the 100 districts, 464 school buildings were randomly selected, and within these buildings random samples (in some cases, the universe) of education personnel were selected to receive questionnaires and, in some cases, to participate in on-site interviews. In all, 8,735 education staff were selected. Staff included district level administrators, principals, school psychologists, guidance counselors, other diagnosticians, regular classroom teachers, special education teachers, and supplemental services teachers. Average rate of return for questionnaires was about 91 percent. In addition to the above respondents, a random, stratified, cluster sample of about 4,850 individual student case files was undertaken to validate the assessment practices reported by educational staff.

Data Collection: Once a district agreed to participate, a district level coordinator was identified to assist in data collection. Staff questionnaires were mailed one week prior to on-site data collection. Data collection teams picked-up completed questionnaires, conducted interviews, and reviewed files. Procedures for monitoring the data collection were established and a verification substudy was conducted to

determine the accuracy of the information extracted from review of case file documents.

Temporary field staff were hired and trained to assist in data collection; efforts were made to recruit students training in school psychology and recent program graduates. Instruments included a General Questionnaire for all teaching staff, three interview protocols for use with administrative and diagnostic staff, and five student (Case) Specific Questionnaires which provide information on procedures used to evaluate, classify, and place handicapped students.

Data Analysis: The general method of analysis used to develop population estimates is ratio estimation and appropriate weighting based on selection probabilities. Balanced Half-Sample Pseudoreplication is used to derive variances. Planned analyses are largely descriptive with some across groups comparisons.

Usefulness: No final report is yet available. As of this writing, data analysis is just beginning. The study shows promise, however, of high technical quality. In addition, the sampling methodology used -- multi-stage, stratified cluster technique--may serve as a model of cost and data collection effectiveness.

Name of Study: Unanswered Questions on Educating Handicapped Children in Local Public Schools

Source/Author: Comptroller General of the United States

Report Reference: Comptroller General of the United States. "Report to the Congress. Unanswered Questions on Educating Handicapped Children in Public Schools," Washington, D.C.: United States General Accounting Office (HRD-81-43, February 5, 1981)

Data Collection Period: 1977 and 1978-1979

Study Purpose: To evaluate progress and identify problems in implementation of the Education for All Handicapped Children Act of 1975, the Public Law 94-142 program.

Sample Selection: Ten States were selected to provide a cross-section of large and small populations, relatively high and low per capita State and local funding levels, older and newer State handicapped laws, approved and not yet approved State handicapped plans, and geographic distribution. Factors for LEA selection were geographic location and size. The number of LEAs in a State selected for study varied from one LEA in Iowa to a total of seven LEAs (or other locations such as state facilities) each in Ohio and Washington. A total of 55 State, local, and other agencies were visited, including 38 LEAs.

Data Collection: GAO began to survey the operation, administration, and future prospects of Public Law 94-142 late in 1977, about the time that implementation of the Act began. The survey identified three major potential problem areas: (1) implementation of the Act, (2) inadequate resources in terms of both operating funds and trained personnel, and (3) weak management by the Office of Special Education and the States. In 1978 and 1979, GAO reviewed these issues in greater depth.

The review included discussions with appropriate management, teaching, and other personnel at the Federal, State, LEA, and school levels. Examinations were also conducted of legislation, regulations, State plans, district and school records, and other documents related to the program. Additionally, schools and classes were observed.

Data Analysis: No information is provided in the report.

Usefulness: Our investigation of the Public Law 94-142 program disclosed major problems that need to be addressed to enable the Nation's handicapped children to have available a free appropriate public education which meets their unique needs.

Findings were verified through careful review of the written report and other work products. Additionally, comments of Federal agency officials on findings, conclusions, and recommendations were obtained and systematically considered. These comments and the GAO response are included in the report.

Name of Study: Validation of State Counts of Handicapped Children

Source/Author: Kaskowitz, D.H. "Validation of State Counts of Handicapped Children. Volume II - Estimation of the Number of Handicapped Children in Each State," prepared for DHEW, Bureau of Education for the Handicapped (Contract No. 300-76-60513); Menlo Park, California: Stanford Research Institute (September 1977).

Data Collection Period: Not applicable

Study Purpose: To generate estimates of the number of handicapped children in each State based on a secondary analysis of already existing data. The estimates were intended for use in the editing of State reported counts for 10/1/78 and 2/1/79.

Sample Selection: Not applicable

Data Collection: Potential data sources for use in the generation of expected frequencies were identified through a literature search (which included computer-assisted searches), a review of procedures and sources used in previous prevalence studies, and contact with numerous public and private agencies which potentially had data themselves or had knowledge of other sources of data. Sources identified were as much as 10 years old.

Data Analysis: The sources were reviewed with respect to their usefulness in generating estimates and information was broken out for each source on the handicap(s) covered, types of estimates produced, the type of source, the methods used, and the population covered. Determination was made that it was not possible to use a single data source to estimate frequencies. Reasons included limitations of the sources in covering all handicapping conditions, inconsistencies in methods of identifying, classifying, and reporting handicaps at local and State levels, and lack of assessment of the validity of estimates.

The method used to generate the estimates was to stratify the population of children from birth to 21 years of age by selected demographic characteristics. Plausible alternative prevalence rates within each stratum were then developed for each handicapping condition. One set of estimates was generated incorporating variation in rates across age categories; the other set included factors of ethnicity, socio-economic status, and age. To derive these alternative rates, a successive breakout was done of rates from overall national estimates to estimates separately by each demographic factor to final estimates by combinations of demographic factors.

For each handicapping condition, weights were assigned to demographic categories based on the relative magnitude of weights found in the studies examined. Next, projections were made of the size of the population in each stratum for each State and the prevalence rates were then applied to the projections to derive preliminary count estimates. The final step was to adjust the preliminary estimates to take into account the Public Law 89-313 counts.

Usefulness: Serious difficulties with the prevalence estimates developed in this study limit their usefulness. These difficulties are delineated by the author who was evidently concerned about inappropriate use of the figures. The estimates were derived from multiple sources that varied considerably in their methods, populations covered, and dates undertaken. Additionally, it was not possible to take into account many factors which can affect the size of the population of children in need of special education. The degree of accuracy of the estimates could not be specified but confidence in the estimates would have to be low. The author limits recommended use of the estimates to detecting gross discrepancies in the editing of State-reported counts of handicapped children and acknowledges "less faith in the estimates than in the counts" (p. 1).

Data Base I: Public Law 94-142 Annual Child Count Data

Annually, States report to the Office of Special Education aggregate counts of children served in special education under Public Law 94-142. These tabulations are used to distribute special education funds to the States and they must be certified as accurate and unduplicated by each State's Chief School Officer. To be eligible to be counted under Public Law 94-142, a child must be receiving a free appropriate public education as defined by the Act on the day of the count.

Data are available for each school year from 1976-1977 to the present (1980-1981) school year. For the first two school years, 1976-1977 and 1977-1978, the child count was taken in each State once on October 1st and once on February 1st, with an average of the two used to determine each State's allotment. For these school years, data were reported for the combined group, 6-21 years. For school year 1978-79 and thereafter, the count was taken December 1 of each year; data are available for the following age groups: 3-5, 6-17, 18-21 years old. For all school years, the data are available by handicapping condition for each age group.

Data Base II: Surveys Conducted by the Office of Civil Rights

The Office of Civil Rights conducted its first survey of elementary and secondary schools in 1967. Since then, the survey has been conducted each year except 1975; with the 1976 survey a cycle of biennial surveys began. Questions on participation in programs for the handicapped were included in the surveys beginning in 1973. Given the 1975 passage of Public Law 94-142, this description is limited to the 1976, 1978, and 1980 Civil Rights Surveys.

Fall 1980 Elementary and Secondary School Civil Rights Survey

This survey used two questionnaires: School System Summary Report (Form AS/CR101) and an Individual School Report (Form AS/CR102). The School System Questionnaire collected information on the name and address of the school system and the number of schools in the system. With respect to special education, it asked for the number of children who require special education, the number of children who have been identified as needing evaluation but have not yet been evaluated to determine if they require special education, and the number needing special education who receive no educational services. In addition, pupil statistics on pregnancy and related conditions are requested and the number of pupils expelled during the 1979-80 school year is requested by racial and ethnic category, by sex, and for handicapped pupils.

The district questionnaire was sent to a sample of 5,133 districts--about 16 percent less than the number survey in 1978. These districts represent four groups of school districts. First, districts are identified on the basis on 1978 survey data as most warranting continued monitoring with respect to one or more measures of equity in the treatment of pupils of different racial/ethnic background, sex, or handicapping condition. The second group are districts, not included in the first group, who are applying for funds under the Emergency School Aid Act (ESAA districts). The third group of districts are all those that are not in the above groups and were not surveyed in 1978 but do have enrollments of at least 300 pupils. The last group are those surveyed in 1978. For this latter group, the probability of selection was reduced.

The individual school report was sent to all schools in the 5,133 districts that received the school district questionnaire -- a total of 52,677 schools. The school questionnaire requests the school system name, name and address of the school, grades offered, and a block of questions on pupil composition of individual classes giving grade, subject, and composition by racial/ethnic groups and by sex. There are also questions on accommodations for pupils in wheelchairs and a block of questions on special education programs which provide counts of participants for each handicapping condition and time spent in special

education programs. Racial/ethnic and sex data are broken down for five of these handicapping conditions. Additionally, there are questions on sex differences in selected course enrollment, interscholastic athletic teams, and high school graduates. The last item includes a count of the total number of handicapped graduates.

Fall 1978 Elementary and Secondary School Civil Rights Survey

This survey also used a School System Summary Report and an Individual School Report. The questionnaires differ somewhat, however, from those used in the 1980 survey. The 1978 School System Questionnaire, for example, collected information on the types of changes in the system since 1976 such as consolidation or unification, but the 1980 does not, and while the 1980 questionnaire asks for the total number of handicapped students expelled during the 1978-79 school year, the 1978 questionnaire does not ask for the information relative to the handicapped. District information on pregnancy and related conditions is also not requested by the 1978 survey. In brief, comparable information does not exist for both surveys for all items.

The district questionnaire was sent to 2,108 school districts which were under review by the Office of Civil Rights or which had received court orders. A sample of 3,967 districts were selected from remaining districts with enrollments of at least 300. Selection of these drawn districts was performed so that the total sample would permit State, regional, and national projections and so that certain districts of interest to OCR, based on their responses to the 1976 survey, would be included.

The Individual School Report was sent to all schools in the 6,075 districts receiving the school district questionnaire -- a total of 53,875 schools responded. Information requested is again similar but not always identical to that collected in the 1980 survey. For example, the 1978 survey asked for the numbers of pupils enrolled in programs for the socially maladjusted both by racial/ethnic background and sex. The 1980 instrument does not request any information of the socially maladjusted. Similarly the 1975 questionnaire requested child nutrition program information (required by the U.S. Department of Agriculture) which the 1980 version does not.

The Fall 1976 Elementary and Secondary Civil Rights Survey

This survey also used a School System Summary Report and an Individual School Report. In 1976, however, the School System Summary Report was sent to all school districts. Responses were received from 15,715 school systems or 98 percent of the universe of school systems. Individual School Reports were requested from schools in a random sample of 3,176 school

districts. After selection of the sample, reports were requested from schools in an additional 441 districts of special interest to OCR. Reports were received from 44,058 schools.

The School System Summary questionnaire for the 1976 survey is similar to that for the 1978 survey except that it asks additional questions about the number of non-resident pupils in special education programs in the district, the number out of school because of a handicapping condition, the number receiving home-bound instruction, the number who have undergone comprehensive evaluation to determine their need for special education, and the number of teachers assigned to teach special education programs. The 1976 survey also collects more extensive information on pupil membership. Two of these questions provide data by racial/ethnic group by sex for the number of pupils who participate in any special education program administered exclusively by the school system and, of these pupils, the number who participate in special education programs for the educable mentally retarded or educable mentally handicapped.

The 1976 Individual School Survey is similar to that for 1976 but it requests more data than the 1978 survey. Questions of interest are: "Is this school campus composed exclusively of special education programs?" and "What is the number of teachers assigned full-time or part-time to teach each of 11 special education programs?" No multi-handicapped category was included.

APPENDIX II

STATE-BY-STATE COMPARISON OF PUBLIC LAW 94-142 CHILD COUNT DATA AND OCR SCHOOL DISTRICT AND SCHOOL SURVEY DATA FOR SCHOOL YEAR 1978-79. (notes a, b, c, d, e)

State	OSE child count (note a)	School district (note b)	Pupils served outside district	School level (note c)	Difference OCR district data (minus pupils served outside district) from school data (note d)
					(percent)
Alabama	65,073	62,226	1,122	52,674	+ 16.0
Alaska	6,641	8,884	22	8,511	+ 4.1
Arizona	42,088	39,091	1,618	39,196	- 4.4
Arkansas	35,327	34,064	2,223	30,409	+ 4.7
California	266,684	305,883	23,687	195,357	+ 44.4
Colorado	40,581	44,274	1,447	33,950	+ 26.1
Connecticut	56,836	62,777	4,966	42,141	+ 37.2
Delaware	11,090	13,990	734	10,753	+ 23.3
Florida	115,849	127,121	628	113,191	+ 11.8
Georgia	88,915	84,643	94	73,340	+ 15.3
Hawaii	9,693	9,886	337	8,531	+ 12.0
Idaho	14,747	13,520	207	11,970	+ 11.2
Illinois	206,940	203,512	19,687	169,403	+ 8.5
Indiana	87,720	83,083	3,918	55,286	+ 43.2
Iowa	53,461	31,281	3,270	35,802	- 21.8
Kansas	34,303	31,226	1,497	25,560	+ 16.3
Kentucky	56,467	64,448	1,403	50,544	+ 24.7
Louisiana	83,502	80,845	2,342	62,061	+ 26.5
Maine	21,041	17,885	1,140	15,564	+ 7.6
Maryland	78,179	84,435	2,079	69,506	+ 18.5
Massachusetts	113,631	118,851	7,502	40,277	+208.2 e/
Michigan	135,437	147,901	17,833	99,695	+ 30.5
Minnesota	73,954	71,488	6,256	55,100	+ 18.4
Mississippi	37,354	34,151	747	30,801	+ 8.5
Missouri	91,307	99,860	11,649	79,908	+ 10.4
Montana	11,320	7,537	192	8,215	- 10.6
Nebraska	29,530	21,440	1,122	22,443	- 9.5
Nevada	10,014	9,836	23	7,366	+ 33.2
New Hampshire	8,867	7,567	1,050	7,659	- 14.9
New Jersey	135,040	102,761	13,540	69,601	+ 28.2
New Mexico	17,819	19,380	194	15,968	+ 20.2
New York	141,860	153,682	34,001	85,319	+ 40.3
North Carolina	98,375	103,332	1,656	87,611	+ 16.1
North Dakota	8,739	6,592	479	6,392	- 4.4
Ohio	169,649	170,888	16,118	129,308	+ 19.7
Oklahoma	53,834	44,796	859	45,742	- 3.9

APPENDIX II

State	OSE child count (note a)	School district (note b)	Pupils served outside district	School level (note c)	Difference OCR district data (minus pupils served outside district) from school data (note d)
					(percent)
Oregon	35,118	25,791	1,240	28,399	- 13.6
Pennsylvania	162,784	143,775	35,581	102,360	+ 5.7
Rhode Island	12,855	13,682	1,111	9,765	+ 28.7
South Carolina	66,017	68,218	1,330	59,932	+ 11.6
South Dakota	8,123	7,869	386	7,735	- 3.3
Tennessee	84,508	102,182	1,644	79,872	+ 25.9
Texas	240,282	262,214	3,195	218,601	+ 18.5
Utah	32,309	32,533	555	27,401	+ 16.7
Vermont	9,210	8,276	1,157	5,334	+ 33.5
Virginia	78,734	72,374	1,944	66,154	+ 6.5
Washington	45,214	37,845	1,991	35,999	- 0.4
West Virginia	28,435	19,707	216	20,593	- 5.4
Wisconsin	53,957	78,158	6,044	50,905	+ 41.7
Wyoming	8,130	7,371	328	5,785	+ 21.7

SOURCE: OCR data.

a/Includes children ages 3-21 who received special education services on December 1, 1978 and who were labeled mentally retarded, speech impaired, learning disabled or emotionally disturbed.

b/Includes all school-age children participating in special education either outside or inside the district.

c/Includes school-age children participating in special education with the following handicapping conditions: educable or trainable mentally retarded, learning disabled, emotionally disturbed, and speech impaired.

d/Percentage difference between OCR school district data, minus the number of pupils served outside the district, and school data.

e/The User's Guide to the Data File acknowledges particular difficulty with Massachusetts data.

COMPARISON OF ENROLLMENT TOTALS
OF OCR SURVEY DATA AND NCES MEMBERSHIP COUNTS
FOR FALL 1978.

State	OCR	NCES	Difference between OCR and NCES (percent)
Alabama	761,928	761,666	0.03
Alaska	86,307	90,728	- 5.12
Arizona	508,085	509,830	- 0.34
Arkansas	442,294	456,698	- 3.26
California	4,096,371	4,187,967	- 2.24
Colorado	549,014	558,285	- 1.69
Connecticut	568,957	593,757	- 4.36
Delaware	113,564	111,034	2.23
District of Columbia	108,903	113,858	- 4.55
Florida	1,513,285	1,513,819	- 0.04
Georgia	1,067,669	1,093,256	- 2.40
Hawaii	169,602	170,761	- 0.68
Idaho	194,545	203,022	- 4.36
Illinois	2,082,095	2,100,157	2.05
Indiana	1,108,976	1,113,331	- 0.39
Iowa	533,075	568,540	- 2.80
Kansas	423,615	433,547	- 2.34
Kentucky	686,357	692,999	- 0.97
Louisiana	817,228	816,669	0.07
Maine	220,653	240,016	- 8.78
Maryland	819,327	809,933	1.15
Massachusetts	1,032,891	1,081,464	- 4.70
Michigan	1,911,394	1,911,345	0.00
Minnesota	787,671	807,716	- 2.54
Mississippi	487,473	493,710	- 1.28
Missouri	883,665	900,002	- 1.85
Montana	141,443	164,326	-16.18
Nebraska	255,438	297,796	-16.58
Nevada	145,813	146,281	- 0.32
New Hampshire	158,820	172,389	- 8.54
New Jersey	1,303,151	1,337,327	- 2.62
New Mexico	273,568	279,249	- 2.08
New York	3,035,925	3,093,885	- 1.91
North Carolina	1,170,311	1,162,810	0.64
North Dakota	97,115	122,021	-25.65
Ohio	2,063,951	2,102,440	- 1.87
Oklahoma	539,639	588,870	- 9.12
Oregon	451,342	471,374	- 4.44
Pennsylvania	2,019,501	2,046,746	- 1.35
Rhode Island	166,033	160,656	3.24
South Carolina	638,574	624,931	2.14
South Dakota	125,386	138,228	-10.24
Tennessee	863,530	873,036	- 1.10
Texas	2,808,985	2,867,254	- 2.07
Utah	320,780	325,026	- 1.32
Vermont	80,176	101,191	-26.34
Virgina	1,054,341	1,055,238	- 0.09
Washington	766,928	769,246	- 0.30
West Virginia	397,620	395,722	0.48
Wisconsin	873,269	886,419	- 1.51
Wyoming	89,674	94,328	- 5.19
TOTALS	41,836,257	42,611,000	- 1.85

BIBLIOGRAPHY

1. Abeson, A., Bolick, N., and J. Hass, A Primer on Due Process. Education Decisions for Handicapped Children, The Council for Exceptional Children, Reston, Virginia, 1975.

2. Education Commission of the States, Questions and Answers. The Education of Exceptional Children, Prepared for BEH through the Handicapped Children's Education Project (Grant No. OEG-0-72-0242), Denver, Colorado, September 1975.

3. Education Department, Second Annual Report to Congress on the Implementation of Public Law 94-142: The Education for All Handicapped Children Act, 1980.

4. Goodman, L.V., "A Bill of Rights for the Handicapped," American Education, 12(6), 1976, pp. 6-8.

5. Kennedy, M.M., "Developing an Evaluation Plan for Public Law 94-142," New Directions for Program Evaluation, 2, 1978, pp. 19-38.

6. Meyen, E.L., "An Introductory Perspective," in Meyen, E.L., (Ed.), Exceptional Children and Youth, An Introduction, Love Publishing Co., Denver, Colorado, 1978.

7. National Advisory Committee on the Handicapped, The Unfinished Revolution: Education for the Handicapped, (1976 Annual Report to DHEW), U.S. Government Printing Office, Washington, D.C., 1976.

8. Office of Education, Progress Toward a Free Appropriate Public Education. A Report to Congress on the Implementation of Public Law 94-142: The Education for All Handicapped Children Act, DHEW, Washington, D.C., January 1979.

9. Robinson, N.M., and H.B. Robinson, The Mentally Retarded Child. A Psychological Approach, McGraw-Hill, New York, New York, Second Edition, 1976.

10. Schmid, R.E., Moneypenny, J., and R. Johnston, (Eds.), Contemporary Issues in Special Education, McGraw-Hill, New York, New York, 1977.

11. Weintraub, F.J., Abeson, A., Ballard, J., and M.L. LaVor, (Eds.), Public Policy and the Education of Exceptional Children, The Council for Exceptional Children, Reston, Virginia, 1976.

12. Wilken, W.H., and D.O. Porter, State Aid for Special Education: Who Benefits?, Prepared for the National Institute of Education (Grant No. G-74-0021), December 1977.

APPENDIX V

AUSTIN J. MURPHY
22nd District, Pennsylvania

COMMITTEES:

EDUCATION AND LABOR
ELEMENTARY, SECONDARY AND VOCATIONAL EDUCATION
HEALTH AND SAFETY
POSTSECONDARY EDUCATION

INTERIOR AND INSULAR AFFAIRS
ENERGY AND ENVIRONMENT
MINES AND MINING
NATIONAL PARKS AND INSULAR AFFAIRS

PRESIDENT'S COMMISSION ON COAL

Congress of the United States
House of Representatives
212 Cannon Building
Washington, D.C. 20515
(202) 225-4665

DISTRICT OFFICES:
70 East Wheeling Street
Washington, PA 15301
(412) 228-2777

365 McClellandtown Road
Uniontown, PA 15401
(412) 438-1490

309 Fallowfield Avenue
Charleroi, PA 15022
(412) 489-4217

825 Broadhead Road
Coraopolis, PA 15108
(412) 264-3330

Waynesburg, PA 15370
(412) 627-6700

March 25, 1981

Mr. Milton J. Socolar
Acting Comptroller General
of the United States
General Accounting Office
Room 7026
441 G Street, NW
Washington, D.C. 20548

Dear Mr. Socolar:

The Subcommittee on Select Education is preparing for hearings on the Handicapped Act. Background information describing the numbers and types of children who have access to special education would be particulary valuable to the Subcommittee. Discussion between my Staff Director, Mike Corbett, and staff from your Institute for Program Evaluation indicated that this is feasible.

The Subcommittee is interested in obtaining an assessment of existing evaluation information on: (1) the numbers and characteristics (such as age, race, handicapping condition, and severity of handicap) of children receiving special education, (2) the characteristics of children less often included in the special education program, (3) the characteristics of children over-represented in the program, and (4) factors related to who gets special education. It would be beneficial if this work was based on a technical review of existing evaluation studies so that it presents and integrates the soundest findings.

It would be most helpful if a written report would be available to me sometime in June.

Very truly yours,

Austin J. Murphy

Austin J. Murphy
Chairman
Subcommittee on Select Education

AJM:ctr

Enclosure

APPENDIX VI

UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, D.C. 20202

AUG 10 1981

Mr. Gregory J. Ahart
Director, Human Resources Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Ahart:

On behalf of the Secretary of Education, I am responding to your request for comments on the draft report entitled, "Discrepancies Still Exist in Who Gets Special Education".

Our response will address the extent to which the Department concurs with the GAO Observations (Page v-vi) and the degree of confidence that the Department assigns to the findings upon which the GAO observations are based.

DEPARTMENT RESPONSES TO GAO OBSERVATIONS

GAO Observation

1. While the findings indicate that not all children have equal access to special education, the Congressional objective that those most in need of services would receive them with respect to P.L. 94-142 has largely been accomplished. The priorities to first serve the unserved and second the most severe children within each category may have been realized and may be meaningless. It may be better to emphasize State-specific priorities which attempt to identify categories of underserved children.

DEPARTMENT RESPONSE

Although the observation is composed of several parts, we concur with the overall observation. First, the Department does agree, based upon the GAO data and upon independent sources not contained in the GAO report, that not all children have equal access to special education. As we interpret the data, it appears to indicate continuing difficulty at the secondary level, the preschool level, and in instances of application of the least restrictive environment provisions for the severely handicapped.

Second, we concur that the provision of services to those children most in need of services has largely been accomplished. The Department agrees that the States have demonstrated a vigorous approach to providing services to the unserved and the most severely handicapped. In the main, we attribute this success to the initiation of comprehensive Child Find efforts throughout the States.

We also, in general, concur with the observation that State-specific priorities which recognize the variability across States with regard to underserved groups may be relevant. The Department concurs with this observation with certain reservations. First, we feel that Child Find efforts should continue to be emphasized on a nationwide basis. There are indicators from the findings of recent compliance visits which tend to suggest that the initial comprehensive Child Find procedures used in many States were ad hoc rather than systematic, continuous processes. Therefore, it is still necessary to address the issue of systematizing Child Find efforts in order to insure that children are located and served.

We see this as a two-part problem. First, children entering school for the first time and children of preschool age must be identified as early as possible. Although the question of early intervention is receiving increasing support and an impressive data base, the issue of early identification is less settled. Identification instruments and procedures continue to demand attention and are in need of further development. Second, school-based identification procedures have not been carefully conceptualized nor have they become a routine aspect of public school educational practice. This problem can be, in part, attributed to teacher reluctance to single out individual children solely on the basis of personal judgment. Personal judgment places a large responsibility on the teachers in terms of the potential negative effects which are associated with labeling and long-term special education placement. Such a problem is amenable to the development of data-based decision points which are part of a school-wide referral procedure. Therefore, we see a continuing need to work toward the establishment of routine, systematic data-base referral systems that preclude the necessity for the extensive utilization of subjective teacher judgment regarding individual children to be referred for further diagnosis and assessment.

Although the numbers of severely handicapped students receiving services has increased, the data indicates that services provided to this population remain highly segregated. Indeed, the data presented in this GAO Report support the notion that the overwhelming proportion of handicapped children served by the public schools are mildly or moderately handicapped. Our experiences from recent compliance visits indicate that there is increasing understanding in the field of the concepts of integration and placement in the least restrictive environment. In addition, this data also indicates that there is also increasing support for the concept of educating more severely handicapped children within the public schools. However, these attitudinal values are not supported by the development of specific procedures as part of the assessment or IEP decision-making process in order to insure careful and comprehensive individualized analysis of least restrictive environment considerations. As a consequence of this lack of procedural development, the Department feels that the development of such procedures should be a concern across States, with the emphasis on developing State-specific procedures in each State.

In summary, the Department concurs with the finding and observations of the GAO in regard to Observation 1. However, we would strongly advocate that there are certain critical aspects of the Law which have not yet been fully implemented by even a majority of the States. Two such aspects are Child Find procedures and local-level processes to provide comprehensive consideration of the least restrictive environment requirements in placement decision-making. Therefore, we feel that, although State-specific priorities can be supported, certain priorities still exist on a national basis and should receive continuing emphasis and support at the Federal level.

GAO Observation

2. Congressional fears that the learning disabilities category might see "that disproportionate allocation of funds to a handicapped category the magnitude of which is not clearly known or understood" seem to have been realized, with the lifting of the 2 percent cap. We know little from this review about who is being served in this category. These children may include those with mild learning problems, slow learners, and/or children who formerly would have been labeled mentally retarded. The criteria in use for determining learning disabilities were not examined by the studies.

DEPARTMENT RESPONSE

The Department concurs with the GAO observations. First, it appears incontrovertible that the Congressional fears relative to a disproportional growth, and consequential disproportional allocation of funds, in the area of learning disabilities has materialized and is projected to increase over time. Second, the GAO Report found little data in their review to identify who is being served in this category. Third, the criteria used for determining learning disabilities were not examined by the studies reviewed in the GAO Report.

The Department accepts the GAO observation that the "proportion of children counted under P.L. 94-142 as learning disabled has reached the upper limit of the accepted prevalence interval" (Page 61-62). The GAO report uses interval estimates (1.0-3.0) rather than a specific point, such as 2.0, as the accepted prevalance rate for learning disabilities. The Department believes that the actual learning disability prevalence rate is more than likely below 3%, and that, therefore, the current learning disability service figures have reached, and exceeded, the upper limits of the actual prevalence interval.

In view of this apparent overrepresentation of children classified as learning disabled, the Department feels that it is important to work with SEAs in establishing further criteria to more clearly delineate this population. In addition, the Department has begun to examine the Regulations published on December 29, 1977 regarding the assessment of learning disabilities in terms of their sufficiency relative to the establishment of either criteria or procedures to discriminate between learning disabled children and other children. Therefore, there is a pressing need to reexamine the question

of criteria for inclusion within the learning disability category and, further, a careful assessment of the question as to whether this population expansion can be remedied by establishing additional criteria for inclusion in the category of learning disabilities or whether a proportional "cap" for funding is required.

The Department concurs that the learning disability population contains children "with mild learning problems, slow learners, and/or children who formerly would have been labeled mentally retarded" (Page v). We also agree with the GAO that, at least in part, the category of learning disabilities carries less stigma than emotional disturbance or mental retardation. A recent SRI International study cited by the GAO report suggests that the increase in learning disabilities has been accompanied by a corresponding decrease in the category of mental retardation. The Department feels that a careful and more sophisticated analysis of other data bases--taking into account public school enrollment changes, affects on other categories such as emotional disturbance and language impairments, and services provided in remedial reading and math--would support the general position suggested by SRI. However, the Department continues to believe that the increase in the number of children included in the learning disabilities category is primarily the result of an increase in the number of instances of "fringe" cases, rather than increases in the number of core, or actual learning disabled children. Fringe cases are defined as children in need of educational services, but who are not actually impaired. These instances, in addition to borderline cases such as slow learners and socially maladjusted, most likely consist of children termed "culturally disadvantaged" or "economically deprived." The Department intends to examine this question through the use of the Learning Disabilities Institutes and by identifying this area as a priority for directed research. In addition, the Department will move to establish an InterDepartment Task Force to review this problem and recommend specific research topics for further study.

The problem the Department faces is very complex and contains a number of interrelated features which should be carefully considered. For example, if the decision is to reduce the number of learning disabled children to a certain percentage of the entire population or of the special education population, either by creating additional criteria for determining a learning disability or setting a cap on Federal reimbursement, something must be done with the children who are no longer eligible for Federal funding. Several possibilities exist. First, the State could assume responsibility for funding. Second, the children could be redefined as not in need of special services and returned to the regular classroom. Third, and very likely, these children could end up as speech/language impaired, thereby substantially increasing another category of mildly handicapped children. Speech/language impaired is the likely category to increase, since it, like learning disabilities, carries less of a stigma than other categories.

GAO Observation

3. The forecast for success of Congressional safeguards against the over classification of disadvantaged and minority group children as handicapped seems guarded. Not all study results are yet available, but 1978 survey data show excessive numbers of minority children in some special education programs. There is also over classification of males, particularly in classes for the emotionally disturbed and learning disabled.

DEPARTMENT RESPONSE

The Department concurs with the GAO observations. OSE data from compliance visits tend to suggest an overrepresentation of minority group children--Black, Spanish Americans, native Americans, and migrants--in special education programs. In addition, the overrepresentation of males in certain handicapping categories has been recognized for some time.

The Department has been involved in attempts to remediate and prevent the overrepresentation of Black children in classrooms for the educable mentally retarded for some time. It is evident from P.L. 94-142, and the Regulations derived from this legislation, that the Congress attempted to anticipate this problem through the inclusion of protection of evaluation procedures in the Law. The Department's regulations specificially provide that tests and other evaluation materials be validated for the specific purpose for which they are used (34 CFR 300.532(a)(2). This aspect of the Regulations has had little effect in the prevention of such abuses for several reasons. First, has been the failure to develop and integrate into assessment procedures, instruments which are validated for the specific purposes for which they are used. In addition, despite important differences, the overlap between such handicapping conditions as learning disabilities, emotional disturbance, educable mentally retarded and language impaired, allows for some measure of professional interpretation as to whether a child's educational needs are attributable to environmental or cultural differences or to a particular handicapping condition. Therefore, the Department will consider examining the issue of specific purpose validation and the associated issue of more rigorous criteria for the classification of handicapped children.

GAO Observation

4. None of the studies reviewed were definitive in the sense that they provided answers to all questions about a given topic. Some studies were simply initiated at too early a period in Public Law 94-142 implementation to be useful. However, the overall findings indicate the value of using a variety of studies to evaluate a program rather than rely on a single "definitive" study.

DEPARTMENT RESPONSE

The Department supports the GAO observation that the review of an array of studies may be more useful than reliance on a single major study.

The question of access, which is addressed in this study is exceedingly broad and complex. In addition, it is further confounded by a complex interplay of social, political, and education forces. It appears that the analysis of an array of studies, each of which impact upon some part of the overall question, can be more successful in isolating variables which contribute to the problem and which are deserving of further study.

Such a procedure has certain economical benefits as well. First, there is the economy of dollars saved on a broad-based exploratory study. Second, there is considerable economy of time in that answers or suggested findings do not need to wait until contracted studies are completed.

GAO Observation

5. Many study reports did not adequately describe the methodology employed. The scarcity of information prevented determining the technical adequacy of these studies and thus limited placing confidence in the findings. While a study may have been exemplory designed and conducted, the reviewer limited to the report could not draw such a conclusion.

DEPARTMENT RESPONSE

After reviewing a sample of the studies that the GAO based their report upon, the Department concurs with the GAO observation that study methodology is often inadequately described. Since many of the studies reviewed were conducted under contract from the Department, it appears that the Department could remedy this difficulty by requiring a more complete description of methodology within Final Reports from contractors. The requirement for a description of methodology or operational procedures as part of a Final Report could, with OPAM concurrence, be written into future work scopes in RFP's.

GAO Observation

6. Additionally, there are many gaps in the information about who gets special education. Directions for future studies include, for example: investigating selected States to verify the P.L. 94-142 child count data; examining the nature and extent of etiological explanations for sex, age, and race/ethnicity distribution imbalances; investigating access to services for the birth through age 2 category; investigating the numbers of handicapped children who are military dependents, adjudicated or incarcerated youth, foster children, and migrants and the extent to which these groups have access to special education; investigating the numbers of handicapped youth who are high-school drop-outs; determining the nature, extent, and impact of variations in definitions of handicapping conditions across the States; and investigating the nature, extent, and impact of overlap between ESEA title I and title VII and P.L. 94-142.

DEPARTMENT RESPONSE

The Department concurs with the GAO that the gaps in the information concerning who gets special education are many. However, the process of assigning a priority ranking to these gaps in information regarding access is complex. Some of the gaps indicated by this GAO report are major topics for study, while others are either subsets of one of the broader topics or relatively narrow issues affecting a small population of children.

The OSE is not currently prepared to assign a priority ranking to these gaps in information. However, the Special Studies Branch of the Division of Educational Services, OSE, has been requested to analyze the data presented in the GAO report and to integrate the GAO observations in the long-term research plan regarding the implementation of P.L. 94-142 which is currently being devised.

SUMMARY

Overall, the reviewers throughout the Department found the GAO Report to be objective, clearly presented, and useful. In addition, the observations set out by the GAO appear to be logically derived from the data. The Department also found the methodology to be appealing. The use of existing studies as a data base, coupled with a clear conceptual model and a standardized procedural framework to analyze and sytematize this data, is an extremely useful process for the purpose of isolating gaps in knowledge as well as describing what is currently known about various topics.

Sincerely,

Herman R. Goldberg
Acting Assistant Secretary for Special Education and Rehabilitative Services

*U.S. GOVERNMENT PRINTING OFFICE : 1981 O-361-843/794